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STATE OF NEW YORK

STATE BOARD OF CHARITIES

REPORT OF THE SPECIAL COMMITTEE

of Commissioners Stewart, Smith, Kevin and McGuire,
appointed in Compliance with a Joint Resolution of
the Legislature, Adopted April 1, 1915, to
Investigate Alleged Conditions

AT THE

New York City Children's Hospitals and
Schools

AT RANDALL'S ISLAND

SUBMITTED TO AND UNANIMOUSLY ADOPTED BY THE

STATE BOARD OF CHARITIES

At its meeting of July 14, 1915

ALBANY
J. B. LYON COMPANY, PRINTERS
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STATE OF NEW YORK
STATE BOARD OF CHARITIES

Report of the Special Committee consisting of Commissioners Stewart, Smith, Kevin and McGuire, appointed in compliance with a Joint Resolution of the Legislature adopted April 1, 1915, to investigate alleged conditions at the New York City Children's Hospitals and Schools at Randall's Island.

Submitted to and unanimously adopted by the State Board of Charities at its meeting of July 14, 1915.

LETTERS OF TRANSMITTAL TO THE LEGISLATURE

NEW YORK, *July 14, 1915*

TO HON. EDWARD S. SCHOENECK, *Lieutenant-Governor and President of the Senate:*

SIR.—By direction of the State Board of Charities, I have the honor herewith to transmit to the Senate a copy of the report of the Special Committee appointed by the Board in compliance with a Joint Resolution of the Legislature adopted April 1, 1915, to make inquiry into the existence of alleged evils, abuses and defects in the management of the New York City Children's Hospitals and Schools at Randall's Island, and as to the action taken to remedy them by the Commissioner of Public Charities of the said city.

Yours very respectfully,

WILLIAM R. STEWART,
President.

NEW YORK, *July 14, 1915*

TO HON. THADDEUS C. SWEET, *Speaker of the Assembly:*

SIR.—By direction of the State Board of Charities, I have the honor herewith to transmit to the Assembly a copy of the report of the Special Committee appointed by the Board in compliance with a Joint Resolution of the Legislature adopted April 1, 1915, to make inquiry into the existence of alleged evils, abuses and defects in the management of the New York City Children's Hospitals and Schools at Randall's Island, and as to the action taken to remedy them by the Commissioner of Public Charities of the said city.

Yours very respectfully,

WILLIAM R. STEWART,
President.

REPORT

To the State Board of Charities:

GENTLEMEN.—The undersigned, constituting a Special Committee of the State Board of Charities, appointed to make investigation into certain alleged conditions at the New York City Children's Hospitals and Schools on Randall's Island, which institutions are administered by the Department of Public Charities of the said city, respectfully reports as follows:

THE CHARACTER OF THE INSTITUTIONS

These hospitals and schools have a population of approximately 2,000 inmates, some 1,700 of whom are mentally deficient children, including a considerable number of low grade idiots. The other patients are mainly crippled children and those suffering from minor contagious diseases of the eyes, skin and scalp. They are insufficiently housed in old buildings and cared for in large part by poorly paid attendants.

ALLEGATIONS OF MISMANAGEMENT

The State Board at its meeting of March 10, 1915, gave consideration to a number of widely published statements, apparently of a semi-official character and emanating from the officers of the Department of Public Charities of the city of New York, alleging the existence of conditions indicating gross mismanagement of the New York City Children's Hospitals and Schools at Randall's Island, for which the superintendent thereof was said to be responsible and had been cited to appear on March 13, 1915, before the head of the department in order to make the explanation permitted by the charter of the city of New York. As showing the deductions drawn from the charges emanating from the Department of Public Charities with reference to conditions at the institutions in question the following head lines from New York City papers of March 6, 1915, are quoted:

(1) "Woman called brutal in charge of City waifs — Randall's Island investigators accuse Mrs. Mary C. Dunphy — Deaths because of laxity are alleged."

(2) "Beat children in City's care, says Kingsbury — Mary C. Dunphy, Superintendent on Randall's Island, accused — Sanitation called lax and food poor."

(3) "Cruelty charged at City Hospital — Mrs. Dunphy, Randall's Island head ordered to appear before Kingsbury — Growth of infection — Feeble-Minded Children ill fed and poorly clothed, say investigators."

(4) "Insane children cruelty victims report charges — Mrs. Mary C. Dunphy, Superintendent on Randall's Island, accused — Details tell of torture inflicted — Two thousand wards of city not safe-guarded against contagious disease, it is said."

(5) "Suspend chief of institutions on Randall's Island — Charge that Mrs. Dunphy permitted attendants to treat inhumanly the feeble-minded children there — Assert she did not run the hospital properly — Declare she failed to safeguard against fire and the spread of diseases."

(6) "Charge city wards died from neglect — Mrs. Mary C. Dunphy, Randall's Island Superintendent, ordered to stand trial — 12 per cent mortality in a year — All attributed to infectious diseases — Children strapped up and ill-fed, report says."

In order that the basis for these alarming head lines may be better understood the following item from one of the New York morning papers of March 6, 1915, is repeated in full:

"Mrs. Mary C. Dunphy, who has been superintendent of the New York City Children's Hospitals and Schools on Randall's Island for more than twenty-two years, was ordered yesterday by Commissioner of Charities John A. Kingsbury to appear before him on March 13 to explain charges that she has permitted feeble-minded children to be treated inhumanly and brutally; that because of her laxity in preventing the spread of infectious diseases many inmates died and that she has failed to provide sufficient food for many of the inmates.

"These are the most serious charges of an ugly list prepared after fourteen months of investigation ordered by Commissioner Kingsbury and carried out by Deputy Commissioner Wright and Howard B. Dinwiddie, general inspector of the department.

“ Mayor Mitchell, Corporation Counsel Frank L. Polk, Assistant Corporation Counsel Josiah Stover and other persons in or out of official life who are keenly interested in the proper conduct of New York’s charitable institutions have been cognizant of the charges for many weeks, but so shocking was the situation developed and so savagely did they reflect upon the Randall’s Island superintendent, Mrs. Dunphy, that Commissioner Kingsbury delayed until last night to permit them to become public.

“ MRS. DUNPHY ILL IN BED

“ Even then Commissioner Kingsbury would not permit the charges to be made public verbatim, nor would he permit himself to be quoted. The list of charges was handed to the reporters by Commissioner Kingsbury’s secretary and deputies last night on the express understanding that they were to be published only in paraphrase. Mr. Kingsbury evaded interviewers, confined himself to his private office and communicated with the press only through his secretary and deputies.

“ Mrs. Dunphy, who is nearing her sixtieth year, has been superintendent of the Randall’s Island hospitals and schools since October 12, 1892, at a salary of \$3,500 a year. She was ill in bed last night in her home on Randall’s Island. Had it not been for her illness she would have been required to appear this morning to answer the charges, but in answer to Commissioner Kingsbury’s demand that she appear to-day she submitted a certificate of illness signed by Dr. C. F. D’Alton, asserting that she was suffering from bronchitis and pleurisy and unable to leave her bed.

“ A reporter for The Sun who called the Randall’s Island telephone exchange, Harlem 6764, was informed by a man who said he was the steward of the institution, that Mrs. Dunphy’s trained nurse would not permit her to be disturbed, and that it would be impossible, therefore, for any one to talk to her at her bedside or over the telephone.

“ EXPLANATION REFUSED

“ Commissioner Kingsbury said he submitted the charges to Mrs. Dunphy three weeks ago, showing her one list of detailed accusations after another, and that she told him certain persons were merely continuing an old conspiracy to get her job. He insisted that she explain, but she declined, he says, to make any explanations.

“ Commissioner Kingsbury’s deputies assert that former administrations have investigated Mrs. Dunphy’s management of the institutions, but that nothing ever came of the investigations. There is a suggestion in the Charities Department that denominational influences have clashed strongly over Mrs. Dunphy’s conduct of the institutions.

“ It does not appear on the surface that denominational influences have withheld the action of Mayor Mitchel, the Corporation Counsel and Commissioner Kingsbury in deciding finally to give to the public the results of their investigation, but there was a long series of conferences yesterday afternoon and last night, conferences between the Mayor and Commissioner Kingsbury, between Corporation Counsel Polk and Mr. Kingsbury, and other seriously worded talks between city officials before the matter of the charges was released. The understanding was, however, that Mayor Mitchel was strongly in favor of publishing the charges.

“ At all events Commissioner Kingsbury broke the seal of secrecy last night. He permitted his subordinates to explain that, when he first took office, he received numerous and serious complaints against Mrs. Dunphy’s management of the Randall’s Island institution.

“ LARGEST OF ITS KIND

“ It may be remarked here that the hospitals and schools for sick and defective children comprise probably the largest institution of the sort in the world. The daily census taken on March 3, 1915, showed that there were 2,018 persons in the hospitals and schools. Of these 1,033 were males and 985 females, and about 75 per cent. of the whole number were children under 16 years of age.

“ Commissioner Kingsbury, hearing so many complaints, heard also very strong praise for Mrs. Dunphy, delivered by persons who were assured that she was competent and kind. He made up his mind that the best way to get at the truth was to order an investigation which should be long and painstaking. That investigation was begun fourteen months ago and General Inspector Howard B. Dinwiddie was instructed to make a complete and accurate report of conditions as he and his coworkers found them. Mr. Dinwiddie employed men and women agents. One of these, in concealing her identity and purpose, worked for many weeks as a hospital helper. Other were employed in night or day work in the schools and hospitals.

"From time to time Mr. Dinwiddie submitted reports, some of which were of a few typewritten pages, others of which were voluminous. Not satisfied, as he says, to take these reports at their face value as they came to him from time to time, Commissioner Kingsbury ordered reinvestigations made. He endeavored, he says, to go over and over doubtful ground and to eliminate charges which appeared to be built on speculation rather than upon observation.

"The matter appeared to him to be so serious (since it showed apparently frightful conditions existing in one of the city's largest charities) that he consulted with Mayor Mitchel and the Corporation Counsel, not once but many times. It is said too that the Mayor, not at all satisfied with the way many similar institutions have been conducted, was horrified by the reports transmitted to him, and that he, like Mr. Kingsbury, hesitated at first to believe that such cruel practices as were alleged had been carried on.

"EIGHT CHARGES IN LIST

"Satisfied finally that the investigation had disclosed all that was necessary, Commissioner Kingsbury embodied the report made by General Inspector Dinwiddie into a set of charges. These accuse Mrs. Dunphy of permitting cruelties and of permitting such laxity as caused the death of inmates in 1913 and 1914. There are eight charges in the list Mrs. Dunphy is summoned to answer.

"The first is that through 1913 and 1914 she permitted corporal punishment to be inflicted upon many feeble-minded children and that she permitted male and female attendants and other inmates to beat and kick and otherwise treat in a brutal and inhuman manner children who had been sent to Randall's Island.

"The second charge is that Supt. Dunphy in 1913 and 1914 permitted attendants to tie the hands of feeble-minded children, place them in strait-jackets and restraining sheets without the order of a physician and fasten them with cords and straps to beds, chairs and benches.

"The third charge is that Mrs. Dunphy in 1913 and up to August 31, 1914, so failed to establish and maintain proper safeguard against the spread of infectious diseases among the feeble-minded and other children committed to Randall's Island that these results followed:

"Children afflicted with infectious diseases were permitted to eat in the same dining room with others not diseased and children suffering from one sort of disease were allowed in

the same room with children suffering from another sort of disease, both infectious.

"From July 1, 1913 to June 30, 1914, approximately 70 per cent. of the feeble-minded patients and approximately 62 per cent. of the custodial children who were in quarantine wards or were for two weeks or more in the hospital wards were suffering from infectious diseases contracted subsequent to their admission to the institution. Twelve per cent. of those contracting infectious diseases while inmates of the institution died as a result.

"A majority of the children admitted from January 1, 1913, to June 30, 1914, were not detained in the reception hospital for fourteen days. Such detention is required by the rules of the department.

"INSUFFICIENT FOOD CHARGED

"The fourth charge is that between June 20, 1914, and September 3, 1914, Mrs. Dunphy failed to provide enough food for many of the inmates, and these were obliged to breakfast repeatedly on bread and coffee or bread and cocoa, although other food was available and was supposed to be served by orders of the department. It is further stated that neither quality nor quantity of the food served was up to the standards required, and that the inmates of the institution did not get proper nourishment. Inadequate supervision over the distribution of food is included in the charge.

"The fifth charge is that Superintendent Dunphy did not maintain proper standards for the decent care of the persons of the children committed to her charge. Among those laxities in sanitation and cleanliness charged is that the washing of children before breakfast was habitually disregarded.

"The sixth charge is that Superintendent Dunphy so failed to provide for the comfort of the children that feeble-minded children and mentally normal children were permitted to eat at the same table and were not separated while on the playgrounds.

"The seventh charge is that the clothing provided for the use of the dependent inmates was freely used by the employees at Randall's Island.

"The eighth charge accuses Mrs. Dunphy of failing to adopt and enforce necessary and proper regulations for fire protection. It is specified that no systematic fire drills were held among the employees of the institution; that cripples, who were unable to ascend or descend stairs unless aided, and

less responsible idiots, were permitted to sleep on the upper floors of the dormitories in non-fireproof buildings from which it would have been a hard task to get them out if fire had occurred, and that night watchmen have been permitted to violate the rules by failing to make their rounds.

"The Sun publishes above the sense and, as nearly as accords with the understanding expressly required by Commissioner Kingsbury, the specific accusations contained in the list of charges against Mrs. Dunphy. It was expected she would appear in answer to the charges at 11 o'clock this morning, but on account of the physician's certificate submitted in her behalf the hearing was postponed for one week.

"TWO ACCUSATIONS

"It was made known through Commissioner Kingsbury's secretary and deputies that General Inspector Dinwiddie's complete report contains numerous specific charges in support of each general charge. Before it was decided not to make public these specific accusations involving cruelty and mismanagement, Mr. Kingsbury's subordinates mentioned two accusations.

"One was that agents employed in the investigation went through the dormitories at night. When they lifted the bed clothing of some children, pitiful voices begged them 'Don't hit me!'

"Another was that some of the employees on Randall's Island have learned the trick of beating children without leaving black and blue marks on tender flesh.

"Hundreds of the employees are listed as hospital helpers. They are poorly paid, the majority receiving \$120 or \$150 a year, and some do not by any means represent very highly humanized types.

"Mrs. Dunphy is described in the office of the Commissioner of Charities as a woman of heavy, powerful physique. It is no secret in the department that her successor, provided the movement to oust her is successful, will be Deputy Commissioner of Charities William J. Doherty, who is said to have made a special study of the treatment and care of defectives and dependents."

ALLEGED CONDITIONS UNKNOWN TO THIS BOARD

The presence of these alleged conditions was unknown to the members and the officers of the State Board of Charities, some of whom were most familiar through administrative, as well as supervisory experience with the Randall's Island institutions. The

chairman of this Committee, Mr. Stewart, represents the first judicial district and has officially visited the institutions in question annually for the past thirty-three years. The second member of the Committee, Dr. Stephen Smith, has been familiar, from an administrative as well as a supervisory view point, with conditions on the island for more than a generation. The Secretary of the Board, as Commissioner of Public Charities of the city of New York from 1906 to 1910, administered the institutions and was familiar with their work. The conditions alleged to exist had not been discovered by the Board's inspectors in their frequent and careful examination of the institutions, nor were they apparently known to the "New York City Visiting Committee" of the State Charities Aid Association, of which committee Mr. Homer Folks, the Secretary of the Association, is President. At least no reports covering them were made by the Association to this Board, as obviously contemplated by the provisions of section 32 of the State Charities Law, and section 121 of the General Poor Law. It does appear, however, that on March 24, 1915, Mr. Folks sent a long letter to Mayor Mitchel, to whom the Association is not required by statute to report, in support of the charges made and then pending against the superintendent of the Randall's Island institutions.

This letter, which was subsequently read into the record, deserves more than passing notice. So far as it is evidence at all it relates to general conditions which it alleges existed when its writer was Commissioner of Public Charities some twelve years ago, and for practically all of which he has apparently always sought to hold the superintendent responsible, overlooking to a great extent the formidable task resting upon her shoulders, a task difficult to perform at best, but doubly difficult without the friendly and continuous co-operation of the head of the Department. Commencing with a recital of its writer's adverse impressions of the Randall's Island institutions formed some twenty-two years ago, and obviously continued ever since, it refers to unsatisfactory conditions of administration and supervision of and over the institutions there situated.

The criticism so far as it refers to the physical condition of the buildings and grounds, is obviously at variance with the report

of the "City Visiting Committee" of the State Charities Aid Association. This last named body in its report of December, 1914 (which forms part of the record herein), expressly states that the wards and dormitories are "kept so spotlessly clean that the visitor at times hardly realizes how inadequate the buildings really are. * * * Everything in these old buildings," — the report continues, — "floors, beds, bedding, windows, etc., is kept scrupulously clean."

The inadequacy of the buildings and the need for better paid employees and more of them were matters of no recent creation, but dated back for many years and had been the subject of repeated adverse official comment. As a matter of fact, for these last named evils, the remedy — in the shape of increased appropriations, — rested solely with the city's fiscal authorities.

In so far as the letter itself purports to prove the unfitness of those in charge of the Island, it should be borne in mind that Mr. Folks, when Commissioner, contented himself with an expression of willingness to oust the Superintendent, but took no actual steps toward making a change. His explanation for the failure to do so, is the somewhat astonishing statement that such a move might have injected a sectarian issue into an approaching political campaign.

Finally, the whole letter had to be read in connection with Mr. Folk's statement, made while testifying, that he had not visited the Island during the last five years.

RESOLUTION APPOINTING SPECIAL COMMITTEE OF INVESTIGATION

The State Board of Charities at its meeting of March 10, 1915, adopted the following resolution:

"Resolved, That in accordance with the provisions of sections 13 and 16 of chapter 57 of the Laws of 1909, constituting chapter 55 of the Consolidated Laws, and known as the State Charities Law, and sections 117 and 119 of chapter 46 of the Laws of 1909, constituting chapter 42 of the Consolidated Laws, and known as the State Poor Law, Commissioners William R. Stewart, J. Richard Kevin, M. D., and Stephen Smith, M. D., be and they hereby are appointed a special committee to make such investigations, and at such time, as they may deem necessary into the alleged conditions

at the Children's Hospitals and Schools at Randall's Island and into the affairs and management of the Department of Public Charities of the City of New York, and that they be empowered, if they consider such action necessary or expedient, to request the assistance in such investigation of the District Attorney of the County of New York, or the Attorney-General of the State of New York."

Because of the complication which arose from the fact that the hearing in the case of the superintendent had been postponed from time to time, on account of her illness, the Committee thought it wise to delay the investigation.

JOINT RESOLUTION OF THE LEGISLATURE

On April 1, 1915, however, the Legislature, having taken cognizance of the situation, adopted the following Joint Resolution which was duly certified to the Board by the Clerks of the Senate and the Assembly, respectively:

"Whereas, from reports in the public press of the State, the Commissioner of Public Charities of the City of New York has for a year or more been cognizant of alleged evils, abuses and defects in the management of the New York City Children's Hospitals and Schools on Randall's Island, whereby the health and the lives of the mentally enfeebled and other inmates of such institutions have been seriously endangered, and

"Whereas, it further appears from said reports that the Commissioner, while cognizant of such conditions has taken no steps to remedy them, and

"Whereas, it is the duty of the State to see that the inmates of public institutions are properly cared for and has made it the function of the State Board of Charities to investigate all alleged conditions of this nature,

"Resolved (if the Assembly concur), That the attention of the State Board of Charities be called to these reports and that the said Board be requested, with the aid and coöperation of the Attorney-General, to institute an immediate inquiry into these alleged conditions and to submit a report thereon to the Legislature as soon as possible."

DELAY DUE TO SUPERINTENDENT'S ILLNESS

The illness of the superintendent still continuing, it was not until May 13, 1915, that the Committee actually commenced the

taking of testimony. Meantime at the Committee's request, the Attorney-General had detailed Hon. Leonard J. Obermeier, the Deputy Attorney-General in charge of the New York office, to co-operate with the Committee in the inquiry, and in company with the Chairman of the Committee, Mr. Stewart, he visited and made an inspection of the Randall's Island institutions on April 17, 1915. The State Board, on request of the Committee, by resolution adopted April 14, 1915, added Commissioner Horace McGuire, from the seventh judicial district, to its membership, and the Corporation Counsel of the city of New York appointed Mr. Joseph P. Cotton, Jr., to represent the city at the hearings. Mr. Cotton was in attendance at all of the hearings except the one of June 18th on Randall's Island, at which the city was represented by Assistant Corporation Counsel Stover.

INVESTIGATION COMPLICATED BY CHARGES AGAINST THE SUPER-INTENDENT

That the investigation was of necessity complicated by the charges against the superintendent is a source of regret to the Committee. The removal of employees must, of course, rest in the discretion of the head of the department, and any issue with regard to the legality of any such removal is ordinarily, at least so far as the State Board of Charities is concerned, one for the courts to determine. This Board has no wish to intervene in such matters. Conditions at the institutions within its jurisdiction are, however, always pertinent subjects for inquiry, and furthermore, it is the Board's rule to make such examination whenever serious irregularities are said to exist in any institution subject to its visitation. The complication in this instance arose from the very nature of the case. For such complication the head of the Department of Public Charities of New York City, is primarily responsible because he and his representatives gave wide currency through the public press to the alarming statements with regard to alleged conditions of brutality and neglect at the Randall's Island Children's Hospitals and Schools, for which he charged the superintendent with responsibility. The gravity of these published accounts and the wide circulation given them throughout the State, made an investigation necessary.

THE HEARINGS HELD AND THE WITNESSES HEARD BY THE
COMMITTEE

During the course of the investigation eleven hearings were held, ten of them at the office of the Board at 287 Fourth avenue New York City, on May 13, 17, 18, 26 and 27, and on June 2, 4, 9, 10 and 16, 1915, while the final hearing was held at Randall's Island on June 18, 1915. At these hearings witnesses were heard under oath as follows:

Hon. Henry C. Wright, First Deputy Commissioner, Department of Public Charities.

Mr. Howard B. Dinwiddie, General Inspector, Department of Public Charities.

Mr. Stuart A. Rice, Confidential Inspector to Commissioner of Public Charities.

Miss Elizabeth Dinwiddie, Social Investigator, Department of Public Charities.

Hon. John A. Kingsbury, Commissioner, Department of Public Charities.

Dr. William J. Books, Resident Physician at the City institutions on Randall's Island.

Dr. David Parks and Mr. Clarence E. Ford of the inspection staff of the State Board of Charities.

Dr. Max G. Schlapp, Dr. Cornwell, Dr. Bisch, Dr. F. Meyers and Dr. William F. Stechmann, members of the former Atypical Board of the City Hospitals and Schools on Randall's Island.

Dr. Walter H. Brundage, formerly Resident Physician at the City institutions on Randall's Island.

Rev. John A. Jansen, present Roman Catholic Chaplain, at the City institutions on Randall's Island.

Joseph D. Flick, present Acting Superintendent of the the City institutions on Randall's Island.

Dr. Carlos F. MacDonald, Alienist and former President of the Atypical Board.

Hon. Homer Folks, Secretary, State Charities Aid Association.

Dr. Edward W. Peet and Dr. William S. Bainbridge, of the Medical Board of the City institutions on Randall's Island.

Rev. David P. Berenberg, Jewish Rabbi and Chaplain at Randall's Island.

Richard Beatty, former Hospital Helper at the City institutions on Randall's Island.

Dr. E. Elliott Harris, President of the Medical Board and Attending Physician at the City institutions on Randall's Island.

Mrs. Alida B. Hazard, Voluntary Social Worker.

Dr. William L. Stowell, Consulting Physician and Member of the General Medical Board of the City institutions on Randall's Island.

Mr. Max Niklas, former Deputy Superintendent, of the City institutions on Randall's Island.

Miss Eleanor A. Johnson, of Visiting Committee of the State Charities Aid Association.

Mr. Franklin B. Kirkbride, Secretary, Letchworth Village.

Mr. Henry M. Lechtrecer, Inspector, State Charitable Institutions, State Board of Charities.

Mr. Richard W. Wallace, Superintendent of Inspection, State Board of Charities.

Mrs. Nellie Elmore, mother of Robert St. C. Elmore, a feeble-minded boy, who was sent adrift from Randall's Island.

Mrs. Mary C. Dunphy, Ex-Superintendent of the City institutions on Randall's Island.

At the New York City Children's Hospitals and Schools on Randall's Island on June 18, the following witnesses were heard:

Mr. Emil Regnault, Record Clerk at the City institutions on Randall's Island.

Miss Jane Honey, Trained Nurse of the City institutions on Randall's Island.

Miss M. I. Barton, Nurse of the City institutions on Randall's Island.

While clearly recognizing the fact that those most familiar with conditions at the hospitals and schools on Randall's Island were divided into camps more or less partisan in their nature, it was the purpose of the Committee to listen freely to evidence from all sides in order to get all the pertinent facts obtainable.

CORRESPONDENCE WITH THE COMMISSIONER OF PUBLIC CHARITIES

The following correspondence, which was entered upon the record of the first hearing, indicates the agreement made with the Commissioner of Public Charities with respect to the methods of the inquiry:

“NEW YORK, April 9, 1915.

“HON. JOHN A. KINGSBURY, *Commissioner of Public Charities, Municipal Building, New York City:*

“Dear Sir: The State Board of Charities at its own volition, as well as by direction of the Legislature, desires shortly to commence an inquiry into certain features of the work of the Department of Public Charities of this City, of which Department you are the head. This will be held by Commissioners Stephen Smith, M. D., and J. Richard Kevin, M. D., with the undersigned as Chairman. While this inquiry will deal very largely with conditions on Randall’s Island, which have been the subject of extended public comment recently, other branches of the work will also be given consideration. The purpose of this inquiry will be purely constructive, and it will be our desire to have all the facts brought out which have definite and specific relation to that subject.

“We hope we are right in assuming that you will wish to coöperate with the Board in this inquiry, and that you will produce the witnesses who are in the service of the Department, as well as such documents as may be desired, without the necessity for issuing subpoenas for the same. Will you please to let me know about this as soon as possible, and also advise me as to when you will be ready to have us commence the taking of testimony at open public hearings?

“Yours very truly,
 “(Signed) WILLIAM R. STEWART,
President.”

To which the following reply was received:

“APRIL 12, 1915.

“HON. WILLIAM R. STEWART, *President, State Board of Charities, 287 Fourth Ave., New York City:*

“Dear Sir: I beg to acknowledge your letter of April 10th. I note that the investigation you are about to begin is instituted as an act of the State Board of Charities, as well as in compliance with a certain joint resolution of the Legislature.

I also note that it is the purpose of your investigation to deal not only with the condition on Randall’s Island, but with other branches of the work under my jurisdiction.

I further note your statement that the purpose of the inquiry is to be constructive and that it is your desire ‘to have all the facts brought out which have definite and specific rela-

tions to the subject.' I interpret this to mean that everything in the way of policy and administrative action since the Department was established is relevant to the inquiry.

You are entirely right in assuming that this Department wishes to coöperate with your Board to the fullest possible extent in such an inquiry, assuming that the Department will be given ample opportunity to present all facts, records and other data in the possession of the Department, through the assistance of counsel, and have the right to introduce and cross-examine witnesses. I would suggest and urge, in fairness to the Department, that the Board pursue to its ultimate and conclusive end, any single matter, before taking up another. I make this suggestion on the advice of the Corporation Counsel, based on his experience in the recent Civil Service investigation. In that proceeding great injustice was done by the introduction of testimony on a particular subject, without giving a fair opportunity to answer or explain, in this way frequently creating in the minds of the public absolutely false impressions. As your inquiry is to be constructive, Mr. Polk felt sure there would be no objection on your part to this suggestion.

"Owing to the absence of Counsel from the City and the necessity for adequate time for him to familiarize himself with the whole situation in its many and complicated aspects, the Department will not be ready to begin the hearing until about April 23rd or 24th.

"Very sincerely yours,

"(Signed) JOHN A. KINGSBURY,
Commissioner."

The following letter was sent by President Stewart on April 16, 1915:

"HON. JOHN A. KINGSBURY, *Commissioner of Public Charities, Municipal Building, New York City:*

"Dear Sir: The receipt of your note of the 12th instant in regard to the State Board of Charities inquiry into conditions on Randall's Island, and into other branches of the work of your Department, is hereby acknowledged. In connection therewith, I am pleased to note that your Department wishes to coöperate with this Board to the fullest extent possible in such an inquiry. With that expression of willingness you couple a conditional assumption that your Department will have the privilege of presenting all the facts, records and data

in its possession, through counsel, and will have the right to introduce and cross-examine witnesses.

“It had been and is the intention of the inquiry committee to permit your Department to appear by counsel (presumably the Corporation Counsel of the City of New York), and the right of appearance necessarily carries with it the right of examination and cross-examination. The order, however, in which witnesses are to be produced and examined must, to a large extent, depend upon the development of the inquiry and the judgment of the representative of the Attorney-General who will assist in the conduct of the hearings.

“As you know, these hearings are to be public; and the committee in charge thereof will be pleased to have you attend its sessions. I may add, in view of your statement that the Department will not be ready for the hearing until about the 23rd or 24th of this month, that the Committee is quite ready to adopt your suggestion in this regard, and will accordingly fix its first hearing for one of those days.

“May I in conclusion ask a definite and early reply to the following questions:

“Will you produce before our Committee persons in your employ *without the formalities of a subpoena*?

“Will you produce such documents as the Committee may desire, and which are in your possession, *without the formalities of a subpoena*?

“You are doubtless aware that our Committee has the right, under Section 13 of the State Charities Law, to compel the attendance of witnesses and the production of papers; I assume, however, that you will gladly furnish witnesses and documents under your control without putting us to the necessity of issuing compulsory process.

“Very truly yours,

“ (Signed) WILLIAM R. STEWART,
“ *Chairman.*”

To which the following answer was received:

“APRIL 19, 1915.

“HON. WILLIAM R. STEWART, *Chairman, State Board of Charities, Albany, N. Y.:*

“Dear Sir: I have your letter of the 16th. I shall await notice from you of the date of hearing.

“In answer to your questions there will be no necessity for the issue of subpoenas to require the presence of persons in the Department of which I have charge. If you will give me

reasonable notice of the persons desired, I will order them to appear without subpoena.

"Nor is there any need of the formality of a subpoena for the production of documents. All documents to which you are entitled will on reasonable notice likewise be produced at hearings without subpoena.

"Very truly yours,

“ (Signed) JOHN A. KINGSBURY,
“ *Commissioner.*”

RECAPITULATION OF CHARGES

Briefly recapitulated, the principal evils, defects and abuses alleged to have existed at the New York City Children's Hospitals and Schools on Randall's Island, were as follows:

Brutal and inhuman treatment of inmates, which was said to have been permitted by the superintendent; improper restraint of inmates; failure to quarantine and segregate inmates; insufficiency of food; failure to bathe inmates and to provide toilet supplies; failure to separate the mentally defective from the normal children; use by employees of the clothing of inmates; failure to safeguard inmates from fire; and neglect of duty on the part of the watchmen.

NATURE OF TESTIMONY QUOTED

The testimony quoted in this report is arranged almost entirely with reference to the main divisions of the published complaints, as hereinbefore recapitulated, as to the existence of evils, defects and abuses at the New York City Children's Hospitals and Schools. While omitting much that was in the nature of hearsay testimony without apparently any substantial foundation, and also some testimony based upon the alleged conditions and events of ten or fifteen years ago, the Committee has endeavored to include everything that could with propriety be regarded as dependable evidence as to conditions existing during recent years.

CONDITIONS EVIDENT AT THE OUTSET

At the outset it seemed evident to the Committee that the Commissioner of Public Charities had either for a long period been cognizant of the existence of grossly improper conditions at the

City institutions on Randall's Island and had failed to take measures looking to their prompt correction, which it would have been his obvious duty to do under all the circumstances, or else that the public accounts based upon the statements of his representatives, had for some reason greatly magnified and distorted the gravity of the actual conditions at the institutions. There appeared from all the circumstances to be no other alternative possible.

EXCERPTS FROM THE TESTIMONY TAKEN

FIRST. THE TESTIMONY WITH RELATION TO THE ALLEGED
BRUTAL AND INHUMAN TREATMENT OF INMATES

*Deputy Commissioner Wright's Testimony on Pages 12, 13, 14,
32, 39, 40, 41 and 42.*

Q. How long have you been First Deputy Commissioner? A. Since January 7, 1914.

Q. Have you had any duties with relation to the Island since that time? A. Yes.

Q. What? A. Special charge of the food, medical service, feeding, and the division of medicines, and such new construction work as was under operation.

* * * * *

Q. Have you since your appointment been steadily in charge of Randall's Island, so far as buildings, feeding and medical care are concerned? A. Yes.

Q. And in connection with that going to Randall's Island from time to time? A. Yes.

Q. How many times have you been there since your appointment? A. I have made no count and I can't state it to you with accuracy. I presume I have been there twenty to thirty times.

Q. In the course of sixteen or seventeen months? A. I presume so.

* * * * *

Q. On these twenty or thirty visits you made did you ever see any instance of brutal treatment on the part of any of these orderlies and attendants? A. No.

Q. Did you ever see a case of the infliction of severe corporal

punishment upon any inmate of the institutions of the department on Randall's Island? A. No.

* * * * *

Q. I am informed since the suspension of your late superintendent — by the way, when was that, about? A. The fore part of March.

Q. Since that time you have made many visits over there? A. Almost daily for the last three weeks.

Q. Almost daily? A. Not for the fore part of the period; for the last three weeks I have been there almost daily.

Q. Can you say if you had been officially there previous to that time, the early part of March, over six times in your official capacity? A. I feel sure I have.

* * * * *

Q. You won't say you were there more frequently than six or eight times. A. I can't state.

* * * * *

Q. In connection with your work in supervising patients on the Island did you receive any complaints as to the infliction of corporal punishment or the striking of blows or the showering of kicks upon inmates? A. Personally I don't believe I did.

Q. Were any such complaints ever turned over to you by anybody else? A. The latter part of the year I saw copies of letters.

Q. That was from inmates, or from relatives and parents? A. Both, but more the latter.

Q. What did you do about those complaints? A. These complaints came in comparatively recently.

Q. Tell us what was done. A. The Superintendent was suspended.

Q. What investigation was made of the truth or untruth of the complaints? A. The general inspector had been investigating for months as to the truth or falsity of such complaints.

Q. And upon the coming in of his report the Superintendent was suspended? A. Soon thereafter, I think.

Q. What was the practice upon the coming in of complaints from inmates or representatives of the inmates? A. The general inspector, Mr. Dinwiddie, was assigned to it.

Q. He made an inspection of the children and an investigation of these complaints? A. Yes, and all other institutions.

*Inspector Dinwiddie's Testimony on Pages 44-47, 50; Also 4-2
and 11-2.*

Q. You are connected with the Department of Public Charities of the City of New York, are you not? A. I am.

Q. In what capacity? A. Chief Inspector.

Q. Tell us what your duties are as such general inspector? A. My duties are to handle all complaints of the department that are referred to me, to make inspections of the various institutions in the department, to make visits and to do the work especially assigned to me.

Q. How long have you been connected with the Department? A. Since the early part of 1914.

Q. Have you been engaged in similar work, similar visitorial and inspectorial work prior to that time? A. Quite similar.

Q. Where and when? A. With the Board of Estimate, the Committee on Inquiry on the Department of Health.

Q. How long were those employments continued? A. Two years.

Q. For two years prior to your entrance into the charities department? A. Yes.

Q. Had you been engaged in similar work before that? A. Yes, prior to that I was engaged in work in Bellevue Hospital.

Q. How long did that work continue? A. Between one and two years.

Q. Did you subsequently to your entering into the Department of Charities receive or have turned over to you by the Commissioner or any of his deputies any complaints arising out of the care and conduct by the officials of the inmates on Randall's Island or in connection with any people on that Island? Did you have any complaints as to the infliction of corporal punishment or wrongful physical restraint on the inmates at Randall's Island? A. I received complaints in which the statements were made that corporal punishment was inflicted.

Q. From whom did they come? A. From various people.

Q. From the inmates themselves or their relatives and friends? A. I don't remember receiving any from inmates.

Q. Were those complaints in written form? A. Usually I think.

Q. Are they to be found among the records of your department and are they filed there? A. Yes.

Q. What did you do upon receiving these complaints? A. I made an investigation.

Q. Personally? A. Sometimes and sometimes I assigned them to people attached to my office.

Q. Who were those people to whom you sometimes assigned these investigations of complaints? A. Mr. Rice, confidential investigator; Miss Aidman, Miss Phillips and Miss Dinwiddie.

Q. Miss Dinwiddie? A. Yes.

Q. When did you first receive these complaints as to corporal punishment upon the inmates of the institutions upon Randall's Island? A. I don't remember the date of the first complaint.

Q. I don't mean the exact date, about? A. About the middle of the year perhaps of 1914.

Q. Can you tell us of any instance in which you personally made investigation of these complaints? A. I don't remember interviewing any inmates except in the case of Barney Feeney.

Q. What was that case? A. The case of an alleged death of a patient from beating, it being claimed that death resulted from beating.

Q. In that case was a coroner's inquest held subsequent to the death of the patient? A. I believe so.

Q. Have you personal knowledge of the result and outcome of that inquest? A. I have not.

Q. You made a rather exhaustive report on conditions on Randall's Island for your department did you not? A. It covered a number of features.

Q. That report covered as the first section thereof the care and treatment of patients on Randall's Island, did it not? A. Yes.

Q. You included in the foreword and summary of conclusions findings and recommendations with regard to the care and treatment of patients on Randall's Island? A. Yes.

Q. How far was this summary of findings and conclusions and how far is the text of this report based upon your personal knowledge of the conditions set forth in it? A. That is a pretty hard question.

Q. That carries a good many instances of beating, corporal punishment, tying to beds, physical restraint? A. Yes.

Q. In any of these instances did you personally make the investigation or see any of the facts set forth? A. I never saw a child beaten; I have seen some restraint.

* * * * *

Q. In your summary of conclusions you speak of repeated instances of corporal punishment, brutality or inhumane treatment of inmates by male and female attendants. Did you personally ever see any such instances of brutality or inhumane treatment? A. Not as to brutality.

Q. Or inhumane treatment? A. I saw the confinement of children.

Q. When you speak of confinement do you mean restraint by tying? A. Yes.

Q. Did you at the time of seeing such instances inquire by whose order the restraint had been actually made? A. I did.

Q. What did you find? A. At the volition of the attendant.

Q. Without the order of anybody of any kind of supervisory capacity? A. Yes.

Q. Did you formulate charges against the orderly or attendant who did it without an order contrary to the rule of the department, who actually did the tying or restraining? A. Only as contained in the report.

Q. That is only an omnibus indictment and not a complaint at all. A. It refers to individuals. I think the whole scope of my inquiry is very well covered in my report.

* * * * *

Q. In that report, I read from page 77 thereof: "The files in the general administration office of the Department of Public Charities show that complaints relative to the mistreatment of patients by attendants have been made for the past twelve years." That is a fact, is it not? A. Yes.

Q. When did you first discover that these complaints were made, these twelve years past? A. That examination of files was not made, I think, until October.

Q. After your period of investigation and personal visits had ceased? A. Not entirely.

Q. Had largely ceased? A. After I had gotten considerable headway in my work.

Q. How many complaints were given to you personally for initial investigation and report? A. Are you predicating all of this prior to my investigation?

Q. Prior to or subsequent to your investigation. A. I don't know that I can answer that in any degree of accuracy offhand.

* * * * *

Q. In your report at page 86, you write as follows:

“On July 6th the General Inspector, while passing through the dormitories and porches of Pavilions A, B and C, found a number of inmates on the porches tied to chairs. As many as eight were found on one porch. On July 18 the General Inspector found a half dozen girls tied in the lavatory on the top floor of the North Hospital.” Do you remember writing that?

A. Yes.

Q. When you discovered those conditions did you make inquiry for the giving of orders for that treatment or restraint? A. I did later.

Q. Did you at that time make inquiry of anybody? A. I did not.

Q. Were you familiar with this rule at this time? A. I was not.

Commissioner Kingsbury's Testimony on Pages 87, 88, 89, 90-92, 98, 107-110, 115, 140-142.

Q. Mr. Kingsbury, you are the Commissioner of Charities of the City of New York? A. I am the Commissioner of Public Charities.

Q. When did you assume the duties of that office? A. On January first, 1914.

Q. And previous to that time had you had any practical experience in the administration of public charities? A. Not of public charities.

Q. Had you been at any time connected with any private charitable associations? A. I had.

Q. What ones? A. The State Charities Aid Association and the Association for Improving the Condition of the Poor.

Q. Prior to entering upon the duties of your office had you visited any of the State institutions for the care of the feeble-minded? A. Yes.

Q. Which ones? A. Well, several; I don't recall which ones now; I visited a great number of the State institutions.

Q. For the care of the feeble-minded? A. I visited Rome. I don't know whether I visited any other for the feeble-minded or not, I visited State hospitals. I think perhaps that is the only one in this State for the feeble-minded I visited.

Q. About or soon after you entered into public office and had appointed Mr. Wright, Mr. Kingsbury, you issued an order in regard to the duties of your first deputy and your second deputy did you not? A. Very soon thereafter.

Q. The first I find is the 26th of January in which you charge the First Deputy Commissioner with the care of all patients in departmental hospitals, and so forth? A. Yes.

Q. And in the second order, which modified it or changes it, that was issued in April you charged him with the care of all patients in departmental hospitals including the direction of all purchases, the purchase and acquisition, receipt and consumption of all supplies, dietary, medical and surgical, which pertain to the welfare of such patients. Did you include in that order the departmental hospitals and the population on Randall's Island? A. I think so, I don't remember.

Q. Look at it (handing witness paper). A. (Examining paper) Yes, if this is a copy of that order that is undoubtedly meant to cover all patients in the department.

Q. Under this order as I take it about the first duty you charged your first deputy with was the care of this population of nearly two thousand people on Randall's Island? A. Of course that was one of the institutions and by charging him with the care of it meant he is the one of the deputies who would have charge of the general supervision and direction of the work pertaining to these matters in each institution. The superintendent of each institution is held personally responsible for the conduct of the institution.

Q. Your phraseology here says that you charge him with care of all patients in Departmental Hospitals. You place the responsibility for the care of the patients upon your first deputy, do you not? A. I don't charge him with the responsibility of the details of the care in the institution.

Q. The general care? A. He represented the Commissioner in matters of that kind.

Q. And you feel, of course, you had the general care on your shoulders? A. I am responsible for the Department.

Q. And for the first six months of your administration did you keep in touch with the manner in which your First Deputy was performing the duty of caring for these people on Randall's Island? A. I was.

Q. He testified before us a few days ago that for the first six months or eight months he didn't visit the institution to exceed six times. What do you say about the efficiency of an officer charged with the care of 2,000 children by you, receiving \$5,000 a year, who doesn't visit the institution more than six or eight times in six months? A. I think that is about as often as he could be expected to in his general supervision of all the institutions.

Q. That would satisfy you? A. He can do very well by working through the members of the medical staff and through the superintendent and staff.

Q. You evidently were satisfied that your first deputy was giving to that particular institution all the time that was necessary? A. I am satisfied that he was doing his work.

Q. That he was giving to it all the time necessary? A. Evidently he was giving to it all the time he thought he could give considering the needs of the other institutions as well.

Q. Now let us get along nicely together and answer my questions, did you feel that he was giving to the institution all the time necessary? A. It depends upon what you mean by necessary.

Q. What you thought was necessary. A. I consider it would be a splendid thing if my deputies and I could be in every institution every day but we cannot.

Q. I asked you if you thought it was necessary to give more time than he did for the first six months? A. It didn't occur to me that he wasn't giving as much time as conditions warranted at that time.

Q. I noticed a statement in the public press, Mr. Kingsbury, to the effect that on one of your visits to Randall's Island you saw one of the children beaten or otherwise cruelly treated? Is that correct? A. That isn't a correct statement.

Q. What is the correct statement? A. I was in the wards one night with the second deputy commissioner and I saw an attendant getting the boys up as they do in the middle of the night and I observed as he went past the boys and shook them to wake them that one boy after another threw up his hands and said, "Don't hit me." I noticed as I went through the rows of beds where the children were they would throw up their hands and say, "Don't hit me," and they did it as he went through and that was an indication that the boys were apparently struck.

Q. You saw no actual striking? A. I saw him jerk the boys out of bed before they were entirely awake. I saw him slap one boy, but not seriously.

Q. Can you give me about the date when that was, Mr. Commissioner? A. I can't come near enough for that. I don't know when it was; I should think prior to the 1st of May last year.

Q. Well, did he know you were the Commissioner? A. No; I don't believe he did.

Q. What salary did this man get? A. I don't know.

Q. Did you say anything to him? A. No; I didn't want to disclose my identity.

Q. If he had used cruel treatment in your presence or you had good reason to believe he did he should have been discharged? A. Yes.

Q. Did you do anything to have that man discharged? A. Not that particular man.

Q. Do you know how long he continued in employment after that? A. No.

* * * * *

Q. November 30th I think. Now the facts as to brutal and inhuman treatment as set forth in that report were all witnessed in the summer of a year ago, nearly a half year period before the date of that report. Was anything done by you between the dates of these so-called instances of brutality and inhuman treatment and the preferment of charges against Mrs. Dunphy to correct these abuses? A. None were proven up to that time. There were indications of abuse and it took some time to get it in shape and I waited for some time to get the entire report.

Q. In what particular instances were reports brought to you of so-called brutality and inhuman treatment of inmates? A.

This report was brought to me giving the conditions there generally and as to proofs I took the Corporation Counsel's word for that as to whether the proofs were adequate.

Q. Were there any removals based upon this report of brutal and inhuman treatments by orderlies? A. There have been some very serious strenuous attempts to effect some removals.

Q. Of the people on Randall's Island who were brutal to the inmates? A. I decided on that report which seemed to indicate to me that there was a very serious situation with reference to the treatment of children to take it up with the Corporation Counsel and the matter was taken up with the Corporation Counsel and his advice was sought and it was decided that the thing to do was to prefer charges against the superintendent, who was responsible along the lines reported upon.

Q. Was the matter of that report taken up with the superintendent after November 30, after it came in to you? A. No; it was examined by the Corporation Counsel.

Q. You took it up with the Corporation Counsel before taking it up with the superintendent? A. I did.

Q. Did you request the superintendent to take present and immediate steps to remedy the abuses pointed out in this report? A. I determined upon advice to remove the superintendent who was responsible for these conditions.

Q. When did you reach that determination? A. Sometime about the first of the year I presume.

Q. Did you mean to predicate that removal upon the preferment of charges and a hearing had? A. The superintendent was given a summary of that report and it would depend upon her action upon that report.

Q. You meant to predicate her removal upon that report? A. I meant to say, I determined to get rid of the superintendent.

Q. What do you mean? A. To take any steps necessary.

Q. How could she be separated from the service according to the advice of the Corporation Counsel? A. By preferring charges.

Q. That report came in to you on November 30th? A. It was dated November 30th.

Q. Do you know when you finally preferred charges against Mrs. Dunphy? A. About the first of March I should think.

Q. It took you all of three months to formulate charges based

upon this report? A. I examined the reports a week or ten days. I was being investigated by the State Civil Service Commission and was in attendance upon hearings of this kind and could not attend to everything. It took some time to look it over, I don't know how long.

Q. Between the date of the coming in of this report and the study by yourself and the preferment of charges against Mrs. Dunphy of March first of this year, what, if anything was done by yourself to check these abuses and correct these evils? A. Nothing was done; the responsibility was still on the superintendent.

Q. So far as you were concerned, so far as you were personally concerned, these abuses were left to continue unchecked until you could do something to get rid of Mrs. Dunphy? A. Yes, the responsibility was still with the superintendent.

* * * * *

Q. Are you conversant with the specifications of charges preferred against Mrs. Dunphy? A. I was two months ago when they were preferred.

Q. Is this a copy of those charges (handing witness paper)? A. (Examining paper) It looks like it.

Q. Of your own personal knowledge you know nothing of any cases of cruel or inhuman treatment? A. Not that I have seen, no.

* * * * *

Q. In a number of New York papers under date of March 7th last, appeared a statement in quotation marks as coming in words from yourself, that you had seen an attendant strike one of the children on the Island on the occasion of a visit there by yourself in the latter part of April or the first part of May, 1914, and that you had stopped an attendant from beating a child. Is that correct? A. No, that is not correct. I gave out no statement like that.

Q. So if the "Brooklyn Daily Eagle" so quoted you and the "New York Press" so quoted you, and the "New York Sun," so quoted you, of date of March 7, they are not correct but are erroneous? A. If they are as you state them, they are not correct.

Q. Will you be good enough to look at these seriatim, (handing witness newspaper clipping reading as follows):

"In April or May last year I visited the hospital and schools

one evening with William J. Doherty, my second deputy," said the Commissioner yesterday. "We heard screams of feeble-minded inmates. Turning around we saw an attendant strike one of the children. I stopped him from continuing the beating. Charges were not preferred against him, but I understand he was dismissed.")

A. (Examining clipping) As I say, there is just as much basis for that as contained in the statement which I gave last week to the effect that at the time the attendant was getting the children up at the middle of the night and as they did that, as the boys were awakened one after another, they threw up their arms to protect themselves and said "Don't strike me, don't hit me," and similarly, as we passed by the beds and they were awakened they made similar cries of "Don't strike me" and we saw the attendants pulling them out of bed and it showed their attitude and that is one of the differences between the kind of institution we should have and the kind we did have. In one case the man at the end of the ward slapped a patient, but not in a way that was serious at all; that, altogether were indications, such as the children flinging up their hands, which led us to believe that the children did not receive proper care.

Q. So far as actual striking was concerned you didn't witness any nor did you stop anybody? A. No, we didn't stop anybody from striking.

Dr. Books' testimony on pages 129, 129½, 131 and 133.

Q. How long have you been a physician and surgeon? A. Since June 6, 1912.

Q. How long have you been at Randall's Island? A. Since August 1, 1914.

* * * * *

Q. Do you devote all your time to Randall's Island? A. Yes.

Q. Are you there every day? A. Every day.

* * * * *

Q. Have you noticed that in the cases of these idiotic children some restraint in bed or in chairs is necessary to keep them from injuring themselves or others? A. It is.

Q. And that is required to be done? A. With the facilities at Randall's Island it is necessary.

Q. To restrain these children? A. Yes. It is only the very lowest grade children that are restrained. I don't believe I know of a case of a higher grade child that has been put in restraint.

Q. During the time you have been there have you ever seen the body of a child that had any evidence upon it of having been beaten or bruised by attendants? A. No; I was called to investigate two cases of bruises, one bruise on the face, and I couldn't ascertain how it had been obtained and in the other case there was no sign of a bruise.

Q. These were in the case of complaints that had been made? A. Yes.

Q. Have you had an opportunity to notice the service rendered by the cheap class of helpers? A. Yes.

Q. Do any of this class come in contact with the children? A. They take them back and forth from the wards to the gymnasium and playgrounds and take care of them in the wards.

Q. So they do come in personal contact with the children? A. In that respect, and giving baths.

Q. In that class of help you have a great many changes, don't you? A. Yes, quite a few.

Q. Have you ever seen or known of any cruelty being practiced upon these children or any of these children during the time you were there? A. No.

Inspector Ford's testimony on pages 177 and 178.

Q. What else did you look into? A. The matter of the need for additional attendants assigned to duty in the Reception Hospital.

Q. Had a prior report shown that number to be inadequate? A. It so stated.

Q. What? A. That additional attendants were needed.

Q. What did you find? A. That an additional orderly had been assigned to the Reception Hospital.

Q. Did you feel qualified to pass upon what should be a competent number in that reception house? A. No, sir.

Q. You simply reported there had been an increase of one? A. Yes.

Q. When you examined the inmates to see if they were properly shod did you have occasion to notice them so far as to see if they

were bruised, if they had bruises on their hands or heads? A. I did.

Q. Did any show signs of being manhandled or inhumanely treated? A. No.

Inspector Park's testimony on pages 185 and 186.

Q. What was the particular occasion of your visit in September, 1914? A. I was instructed to investigate a complaint of cruelty practiced on one of the inmates of the feeble-minded division.

Q. Do you remember the name of the inmate? A. No.

Q. What was the specific nature of the alleged inhumane treatment? A. There were two charges, the first that the inmate had been tied to a bedpost in such a manner that the bandages or other cords had cut into his hands and skin so he had developed a skin disease which had been neglected.

Q. How did this complaint come to you for inspection? A. By the instructions of the Superintendent of State and Alien Poor.

Q. Is that a subordinate employee of the State Board of Charities? A. He is in charge of one Department of the State Board of Charities.

Q. You don't know how the complaint had come to him in the first instance? A. Yes; I was in the office receiving instructions about some other work when the matter came in and he asked me to go and investigate it.

Q. With what result? A. The first charge of cruelty was not substantiated. There were no marks on the wrists and ankles of the child and no marks on the hands.

Q. Was the child tied? A. The child was tied.

Q. Pursuant to order? A. Pursuant to order.

Q. And it was to prevent the child from inflicting self damage? A. Yes.

Dr. Schlapp's testimony on pages 205, 206 and 207.

Q. Did you go through all the wards and buildings given over to atypical cases? A. Yes; I didn't go through every ward every day I went there but made rounds in the principal places and in-

quired from the internes if there was anything special and if there was I took it up, I took up the matter that required attention of a member of the Board. I spent anywhere from one to four hours or longer from the time I went there.

Q. Did you have occasion when you visited these wards and buildings to note the physical condition of the children? A. Yes.

Q. Did you see any instances of cruel and inhumane treatment towards any inmates? A. I did not.

Q. Did you see any cases of restraint or the physical tying of patients where no orders had been given? A. I did not.

Q. Do you know that orders are ever given that epileptic children and other similar children are restrained to prevent them from giving themselves harm? A. Yes, and injuring others.

Q. Have you personally given such orders? A. Yes; in one or two instances.

Q. Did you see any cases where in violation of or without orders such restraint was had? A. No sir, I didn't.

Q. Would you have noticed any physical evidence of brutal treatment or beatings in the way of marks upon faces and bodies of patients? A. Well of course when the children have their clothes on you wouldn't notice any on their bodies, or they might fall and injure themselves or somebody might have struck them and you couldn't see them. I never observed any.

Q. Were any complaints ever made to you by inmates of brutal treatment, of brutal or inhumane treatment that you recall? A. Yes; and I always endeavored to investigate and report to Mrs. Dunphy; they were always investigated. I remember one rather serious type of complaint if you would like to have me bring it out to show these complaints are very often brought up. I was over to the Island one day and two of the high grade feeble-minded boys came to me and stated that an orderly had misused one of the other boys; I mean sexually; I immediately reported this to Mrs. Dunphy and an investigation was started and these two boys named other children who were supposed to have been witnesses of this matter. We called the boys who were named as witnesses each one alone in a room and after careful questioning they admitted that these two older boys said to them that if they didn't say they had seen this act by the orderly they would get a

licking from the older boys; the older boys were then questioned and they admitted they got up this story in order to have the orderly discharged, because he was too strict with them. These were two high grade boys, individuals who were delinquent, a most serious type of individual to care for. This shows how these individuals will tell lies to get their own way. On several other occasions complaints had come in and they were investigated and it was found on investigation that the charges made against the inmates were not founded on facts and there was no reason for believing them. Sometimes one child would strike another or scratch another and then the parents would complain about it either to Mrs. Dunphy or to one of the doctors and I have myself received a number of letters in which these complaints were brought up and I had these cases investigated and there was no reason for feeling the children were abused and things occurred that were liable to occur in their own homes.

Dr. Cornwell's testimony on pages 223 and 224.

Q. During your connection with the Atypical Board on how many occasions did you visit the Island? A. I went there regularly once a week every Tuesday morning with the exception of the summer season.

Q. On the occasion of each visit did you go through all the buildings in which the atypical cases were treated? A. No.

Q. How many did you visit? A. One-half to three-quarters.

Q. Did you on the occasion of any of your visits discover any signs of brutal or inhumane treatment of the inmates? A. I have frequently seen in wards where the low grade epileptic were injuries apparently sustained from falling. I couldn't say whether that might not have been sustained by a blow but I have seen no injuries as far as I can recall in any except the epileptic.

Q. When you saw physical signs of bruises did you make inquiries as to the causes? A. Invariably.

Q. Of whom? A. Of the orderly in charge.

Q. Do you recall what answers were given as a rule? A. Yes, I have always been told the circumstances of the injury.

Q. Were any of these answers indicative of cruel treatment or striking? A. Never; I can recall only one cases where an injury was received from another inmate. That was early in this year in which I noticed a patient who was very badly scratched ap-

parently about the face and upon investigation I found he had been attacked by another feeble-minded epileptic that same morning.

Dr. Brundage's testimony on pages 234 and 235.

Q. Did you come in contact with the atypical cases or just those requiring medical treatment? A. All.

Q. Do they all require medical treatment? A. No.

Q. And you were brought into contact with many of them every day of the week? A. Yes.

Q. Did you at any time during your term of eighteen months see any evidence of brutal or inhumane treatment by those who had personal care of them? A. I saw cases of alleged inhumane treatment, cases were reported to us as being brutally treated.

Q. Did you have opportunities to observe their treatment at the hands of orderlies and nurses? A. Yes.

Q. By whom were these reports made? A. By parents.

Q. Were you detailed to investigate these cases? A. We always investigated them.

Q. Did you verify any of these charges of inhumanity or brutality? A. We never verified one; they were all found to be false; they were all found to be the product of disordered imaginations or mental disease.

Q. Did you have occasion to order the physical restraint of any of the inmates from time to time? A. Yes.

Q. What was the object of that physical restraint? A. To protect themselves and to protect the other inmates.

Q. What form did your orders take? Or were they given orally to nurses and attendants? A. Some were orally to the nurses and attendants.

Q. Did you ever run against cases who were so restrained without the order of yourself or the other physicians? A. Never.

Dr. Bisch's testimony on page 241.

Q. Did you on the occasion of these visits to the Island see most of these atypical cases? A. I think so.

Q. You would have noticed it if their physical condition had been such as to denote brutal or inhumane treatment? A. Yes.

Q. Did you ever see any evidence of their having been brutally or inhumanely treated, beaten or manhandled? A. Never.

Q. Did you see cases of restraint of inmates, inmates tied by straps to bed or chair? A. In some of the lowest grade wards I saw that occasionally but apparently rarely, considering the type of service and I invariably made an inquiry as to why it had been done.

Q. Did you find this tying or this restraining was done subsequent to the receipt or pursuant to orders given by the physicians? A. Yes.

Q. And the object was to prevent the inmate from hurting itself if it was an epileptic in convulsive or similar attacks? A. Not necessarily during attacks at all; many of these inmates are excitable and they have episodes of more excitement and they must be restrained.

Dr. Myers' testimony on pages 248 and 249.

Q. On the occasion of these visits did you have occasion to see many of the inmates? A. Yes.

Q. On the occasion of any of these calls on the Island did you see any signs of brutal or inhumane treatment having been administered to inmates? A. I saw a case of a fracture to an arm in the case of a boy, a crippled boy, also an idiot, and he fell and injured himself.

Q. You saw various cases of physical restraint on the cases of your visits to the Island? A. I saw many people, some supported by binders on account of disease and I saw cases of idiots, excitable types who were laced in jackets without arms, so as not to interfere with the other children and other cases who had skin disease and had to be kept from constantly picking their faces and also cases where they had filthy habits.

Q. Such restraint was had with or without the orders of physicians or nurses? A. With the orders of the physicians because I made inquiries why always.

Q. Did you find any cases of restraint made without authorization of the proper order? A. No.

Dr. Stechmann's testimony on pages 253 and 254.

Q. Did you on the occasion of your visits go through the wards, all the wards and note their physical condition? A. I did.

Q. Did you on any of these visits see any evidence of brutal and inhuman treatment as shown by physical marks? A. I never did, no, sir.

Q. Did you see any children in physical restraint by reason of being tied to beds or chairs? A. Occasionally.

Q. Did you know whether it was by the doctor's orders or inflicted by way of punishment? A. That was ordered.

Q. Why? A. Some atypical children if left alone will commit obscene acts and to prevent that we have to tie their hands; otherwise they would do injury to the other children; some would do injury to themselves and some to others.

Q. When you saw inmates who were so restrained did you make inquiry as to the cause? A. Always.

Q. Did you find it was in every instance pursuant to orders? A. I did.

Q. Did you run across any cases where inmates were inflicted with restraint, tied up, without orders of doctors or nurses? A. I never did.

Father Jansen's testimony on pages 259 and 260.

Q. Did you at any time during your six years' activity on the Island receive any complaints as to cruel or brutal treatment of the inmates? A. I received one letter and I myself investigated it but found it false and I didn't do anything.

Q. How long ago was that instance? A. Perhaps two and a half years ago.

Q. What was the nature of the charge made in that communication? A. In the letter I was told that the child was probably beaten and that there were marks but I saw the child and judged that it was untrue. Of course I had my judgment about these things.

Q. What do you mean by your judgment about these things? A. I had to do something, it was a duty and it was a bad one to judge by appearances and so I should think I should not rely upon what they said; so I spoke to the nurse and I know the nurse and

she told me there was no truth in it and I found often that parents who came to see the patients endeavored to make them say that the treatment was bad. They would for instance various times say, "Do you like that ward?" and the girl would say, "Yes, I like that ward," and the mother continued to question, "Do you like it on the Island?" "Yes," said the girl. "No, you don't," said the mother, and so from this I had my opinion that the mother wanted the child to say it was not treated well. I could plainly hear that from the mother's questions and the answers made.

Acting Superintendent Flick's testimony on pages 266, 268, 277 and 278.

Q. Did you institute any inquiry when you came to the Island, or subsequent thereto, as to the physical treatment of inmates by orderlies and attendants in the various wards and pavilions? A. You mean if I did that after March 8, 1915?

Q. Yes. A. Yes, I tried to find out if the inmates were well treated?

Q. How? A. By inquiry and personal visits.

Q. As the result of this inquiry did you understand that the inmates were satisfied with their treatment at the hands of the orderlies and attendants? A. I had three complaints.

Q. Out of how many inmates on the Island? A. 2049.

Q. Out of 2049 inmates you had three complaints; is that the total number you received? A. No; I received five but two were without foundation.

Q. Did you investigate these complaints upon receiving them? A. Yes, sir.

Q. What did you find out of these five cases received? A. Three were justified.

Q. What were those complaints if you can recall the facts of the individual patients? A. An orderly was seen by a nurse kicking an inmate and the nurse reported it and the orderly was dismissed.

Q. What else? A. An attendant was seen beating a crippled child and he was instantly dismissed. The truant case I can't just now tell you.

Q. Did investigation show that the complaints were justifiable? A. Yes.

Q. In all three cases you dismissed the orderlies or attendants?

A. Yes.

Q. What were the dates of these dismissals? A. I can't tell you.

Q. How soon after you came was that, not exactly, the approximate date? A. I think in the first month.

Q. Since that time you have had no further complaints at all? A. Yes; I had complaints, two complaints but without foundation.

Q. These complaints you investigated and found without foundation? A. Yes.

Q. How soon after your investigation in the three cases did you dismiss the attendants or orderlies? A. Immediately, as soon as I knew he was guilty.

Q. You still continue making your rounds on the Island to see after the general needs and treatment of the inmates? A. As much as I can.

Q. And no further complaints except these five instances have been sent to you of any kind of brutal or mistreatment of the inmates? A. No.

Q. Since you have come to the Island have any of the inmates made complaints of such treatment prior to your coming to the Island? A. No.

Q. So you have no complaint except in these five instances in two of which there was no foundation for them after inquiry? A. No, sir.

* * * * *

Q. Do you have occasion to go through the wards during the night hours very late at night? A. Yes.

Q. Do you see children whose physical wants are attended to in the night? A. At all hours.

Q. Did you on the occasion of any of these visits see these children when they required attendance act in a way to betoken fear of the attendants, orderlies and attendants? A. No.

Q. Did you ever see any of these inmates on these occasions lift or raise their arms as if to ward off any possible prospective blows? A. They will do it at times anyway in the lower idiots, they will do that.

Q. And that is the result of their condition mentally? A. Yes.

Confidential Inspector Rice's testimony on pages 278 and 279.

Q. You are connected with the Department of Public Charities of the City of New York? A. I am.

Q. In what capacity? A. Confidential inspector.

Q. How long have you been occupied in that position? A. Since the early part of April, 1914.

Q. Had you done any similar work for any public department elsewhere before that time? A. I had not.

Q. Had you been connected with the public service anywhere prior to that date? A. Yes, Seattle, Washington, I beg your pardon, Olympia, Washington.

Q. In what capacity? A. As secretary of the Industrial Welfare Commission of the State of Washington.

Q. How long had you been secretary of that Commission? A. Between four and five months.

Q. What were your duties as secretary of the Industrial Welfare Commission? A. The duties were to gather statistics relating to wages and conditions of labor of women and minors in the State and interpret those statistics, arrange public hearings and such other secretarial duties as would ordinarily attach to such a position.

Q. Did you come directly from that employment to the employ of the City Charities here? A. No sir.

Q. Were you engaged in similar work? A. There was an interim of approximately two months before I came to New York City after I left the service of the Industrial Welfare Commission.

Q. Are you a civil service employee? A. No sir, my position is confidential, the Commissioner appointed me.

Q. Have you ever been in the public service except in these two positions? A. Except minor positions such as an election official. Q. When did you enter the service of the City Charities Department here? A. In the early part of April, 1914. I am unable to give you the exact date.

Q. What work did you do upon entering the city service? A. Any special work. I was assigned by Commissioner Kingsbury to investigate the agencies dealing with homeless men from the standpoint of one of the men themselves to see what the homeless

were confronted with and considered from an intimate standpoint.

Q. How long did you continue in that work? A. I have done work of that kind intermittently since that time. This first appointment lasted I should judge something under a month.

Q. When were you assigned, if at all, to make an investigation of conditions on Randall's Island? A. During the month of June, 1914.

Q. Who made that assignment? A. As I recall the circumstances Commissioner Kingsbury directed me to take orders from the General Inspector of the Department, Mr. Dinwiddie, who assigned me directly to that task.

Q. Did you have any talk with Commissioner Kingsbury before your assignment at the hands of General Inspector Dinwiddie? A. I don't recall any conversation.

Q. Did you in any conversation with Commissioner Kingsbury or General Inspector Dinwiddie gather the information that the Department was dissatisfied with conditions on Randall's Island? A. I understood from both Commissioner Kingsbury and Mr. Dinwiddie that a great deal of complaint was being received in regard to conditions there. I don't recall specific conversations. I presume they told me they were unsatisfactory.

Q. Isn't it true you were told to see what basis there was for these complaints? A. I was told to seek employment on Randall's Island and see from my experience there what the situation appeared to be so far as I was able.

Q. Did you know at the time that dissatisfaction was felt by the Departmental authorities with and against the Superintendent of Randall's Island? A. Not otherwise than as I have told you.

Q. Tell us just what you did in the way of procuring employment on Randall's Island in order to make an investigation first hand of conditions there? A. During my time of first appointment I had visited Randall's Island with other men sent out from the Municipal Lodging House where I was then staying and had worked there on what is known as the stone yard gang for two days and in that time had made the acquaintance with Mr. Downing the orderly in charge of the male help dormitory on Randall's Island who frequently secures men. Upon securing instructions from Mr. Dinwiddie, I wrote to Mr. Downing asking for a posi-

tion. He asked me to come to the Island towards the end of the month and see him which I did. He kept me there and referred me to Mr. Niklas then Deputy Superintendent. I was then assigned to work that same evening.

Q. What work was given you? A. I was placed with another man as night orderly in ward one.

Q. That was your first experience? A. Yes at this time. Two days before I had been on one of the other wards.

Q. What were the dates on which you first worked as an orderly? A. I can't tell you the first two days; June 29 was the second time.

Q. What were you paid? A. I was told nothing definite in regard to pay but I understood I would follow the same process as the other orderlies being on the unpaid list until a vacancy occurred when I could be placed on the paid list.

Q. What were your duties as orderly? A. I was given no instructions as to my duties but gathered from other employees the general situation. I was to care for the patients at night in the wards.

Q. That started on June 29, 1914? A. Yes.

Q. And how long did it continue? A. Until August 15.

Q. In all that period you were steadily employed on Randall's Island? A. Yes.

Q. Did you receive any pay for your work as such orderly? A. I learned I was placed on the payroll towards the end of July; I don't know what date. I never received any money.

Q. You were at all these times under salary as confidential inspector of the department? A. Yes.

Q. What was that salary? A. \$125 a month.

Q. Is that your present salary. A. Yes sir.

Q. Outside of that salary you never received any money for that work on Randall's Island? A. No.

Q. Did you continue steadily as orderly from June 29th to August 15th? A. As orderly and night watchman; there was no demarcation between them.

Q. Were you night watchman inside the wards in the pavilion buildings or outside? A. There are three, one inside the wards and the other two cover the outside buildings.

Q. From the period of June 29 to August 15, 1914 how much time was spent by you as orderly inside of the wards or various pavilions? A. I should judge offhand between two and three weeks.

Q. Now during that period of service as orderly did you have full opportunity to see the treatment of the inmates by these orderlies and their handling of them? A. I had considerable.

Q. Did you ever observe instances of cruel or brutal or inhuman treatment of the inmates by these orderlies or attendants? A. I did. There are a number of instances recorded in this report.

Q. Can you by looking over these refresh your memory at all as to these instances? A. I can read them if you like?

Q. No; we want them in your own words. A. On May 3, the night of the date I was assigned to Ward F-2, there were twelve boys who slept in that ward remaining in the daytime in another ward, brought to that ward in which I was assigned each evening by the other orderly. After he had brought these boys to Ward F-2 the orderly who had brought these boys ran nearly the length of the ward and struck a boy over the head with his fist in such a way as nearly to throw him from the bed to the floor.

Q. Did you say anything to him? A. I don't think I did.

Q. You didn't attempt to suggest to him that he ought not to do it? A. No.

Q. Did you make a complaint? A. I didn't.

Q. Or report this occurrence to the superintendent in charge of the Island? A. No.

Q. What was the orderly's name? A. Richard Mansfield.

Q. In the absence of such a complaint being made to the superintendent how could the superintendent have been made aware of such an improper act on the part of the orderly? A. I don't know.

Q. Didn't you know there was an order of the Department in effect at that time forbidding corporal punishment? A. There was an order in effect forbidding corporal punishment.

Q. It didn't occur to you to tell your fellow employee that it was against this order? A. I didn't think it incumbent upon me.

Q. If you were an orderly on the Island didn't you think it was

an act of proper conduct to make a report to the superintendent of such an occurrence? A. I thought I was merely a witness or investigator of what conditions were.

Q. You were not there to correct any wrong doing or to bring any act in violation of the rules to the attention of the superintendent but just to make a report? A. Certainly.

Q. Give us any further instances in which you saw cruel and inhumane treatment. What was the name of the child that was struck? A. I don't know the child.

Q. Could you identify the child? A. Probably not at this time.

Q. What kind of a child was it? A. A boy perhaps from fourteen to sixteen years of age of the higher grade of feeble-minded.

Q. How did the child act when struck? A. Merely cowed.

Q. Do you know if the orderly is still employed at the Island or not? A. As I recall, he has left since that time. I don't know the date. Another orderly in dormitory 2 the second floor a few nights after I saw strike a boy three times over the head.

Q. Did you make any attempt to ask that the orderly refrain from doing anything of that kind? A. No.

Q. You still knew it was a violation of the rules? A. Yes.

Q. You made no report of it to the superintendent of the Island? A. No.

Q. Didn't you think it a part of your duty in case you saw repeated infractions of the rules to make reports of such occurrences to someone in authority? A. I regarded myself as an inspector on the Island and not an orderly.

Q. As a matter of fact you were an orderly at that time as well as an inspector? A. I was an orderly on the Island but I didn't consider it incumbent upon me to make a report to the superintendent.

Q. What was the provocation for the orderly striking the child? A. I don't recall. In most cases there was very little if any.

Q. Did you make a note of the name of the orderly? A. The orderly in this case was Orderly Frank Williams.

Q. If you wanted to make a specific case I should think you

would make it complete, not only stating the occurrence but what the boy did to make him strike him.

A. These are only instances of the general conditions as I found them on the Island. I witnessed many similar occurrences. There was nothing especially important to these cases as I saw them because they were so frequent.

Q. In the report made by the General Inspector of your Department, Mr. Dinwiddie, he quotes you as stating that an orderly struck one of the boys in Pavilion F-2 and announced that he would knock hell out of them if they didn't quit. Were you present? A. Yes sir.

Q. What was his name? A. Richard Mansfield.

Q. Did he give you any instructions or suggestions as to striking boys? A. Yes sir.

Q. He told you to hit the boys? A. Yes; I don't recall his exact words, the exact statements which he made at that time.

Q. Look at your report on page 69 at the bottom of that page. A. Yes, he instructed me on that occasion to hit the boys with my hands so I would leave no marks upon them.

Q. Did you hit any boys pursuant to those instructions? A. No sir.

Q. Did you tell him anything as to your willingness or unwillingness to hit them? A. I believe not.

Q. These are two instances on which you have testified you saw this treatment accorded to inmates. Were there any other such instances? A. Yes sir; in the male help dormitory there are a number of higher grade feeble minded boys assigned to help in the dining room and kitchen. I saw one inmate frequently kicked and struck by other inmates without interference from the orderly in charge of this dining room and on several instances saw these inmates struck by this orderly.

Q. Were you in this dining room on those occasions? A. Yes.

Q. You didn't interfere? A. I didn't.

Q. Wasn't it as much your duty as a fellow orderly to interfere? A. I was merely eating my luncheon.

Q. So if you had seen one of these inmates beat the other inmates you wouldn't interfere if you saw it? A. No; it wasn't my duty.

Q. And you saw this occasion? A. Yes. It was nothing serious.

Q. Did you ever make a statement that the attitude of the boys at the time of changing bed at night was such as to indicate terrorism and fear of attendants by reason of their raising their hands over their heads and saying, Don't hit me? A. Yes.

Q. You heard Mr. Flick's testimony? A. A part of it.

Q. Did you hear Mr. Flick state that they would do that anyway as a result of their condition? A. I didn't; I wasn't here.

Q. These boys who threw up their hands were not however struck, were they? A. Not by me.

Q. Were they by anybody on these occasions? A. What page are you referring to?

Q. Page 70, in which it is stated that the attitude of the boys indicated previous brutality because they ducked and dodged whenever Mr. Rice came near them as if they expected a blow.

A. That was true.

Q. That was no proof they had been mistreated? A. I considered it proof to my own satisfaction because after I had been in that ward a couple of nights or more that attitude of the boys distinctly changed so they no longer did that.

Q. They did dodge and duck when you came near them the first few nights? A. Yes.

Q. That indicated to you that they were afraid of you on these occasions? A. Yes, sir.

Q. Give us any further statement you saw of actual brutal treatment of improper corporal punishment of these inmates?

A. I might give as an instance although I didn't witness it—

Q. Only such instances as you know. A. I heard frequently night after night from the door of one building when I was acting as night watchman blows given to the children on the south hospital building second floor. I didn't witness any of this beating but it was heard continually and distinctly. I was on one occasion in ward 27 and was assigned to take care of an employee who was placed in this ward suffering from sunstroke it was supposed. The night female attendant struck one boy several times over the head and struck another boy who was suffering from some disease of the bone and was in a very helpless condition, on the head.

Q. How serious were these blows? A. They were serious enough to make them shriek with pain. He was suffering from pain anyhow from his affliction.

Q. Did you do anything in this case; did you make any report to anybody in authority on the Island? A. I did not.

Q. These occurrences were all in the night time? A. Yes.

Q. At what hour of the night if you can recall? A. No special hour.

Q. Late at night? A. Yes, usually late at night.

Q. Did any other witnesses see these cases of brutality? Was anyone else present except the orderly? A. There may have been in some cases; I don't recall.

Q. Did anybody else see this man Mansfield? A. Those were common occurrences among the orderlies.

Q. How many did you personally see in all your seven weeks stay on the Island? A. I am unable to give the number; the principal occurrences are in this report (indicating).

Q. These are by hearsay only; what orderlies told you, not what you saw; how many did you see? A. Half a dozen occurrences recorded in this (indicating) I was present.

Q. And in all of them you followed your customary practice of making no report to anybody on the Island in a supervisory capacity? A. Yes.

Q. What was the name of the nurse? A. M. I. Barton.

Q. A woman attendant? A. Yes.

Q. Is she still on the Island? A. I am unable to say.

Q. Is Mansfield still on the Island? A. I understand that Mansfield left the Island voluntarily some time after this.

Q. Do you know he wasn't discharged? A. I don't know definitely.

Q. Is Williams still on the Island? A. He is not on the Island.

Q. In your report you speak of instances of a boy struck by an orderly in charge of one of the dining-rooms after having been struck by fellow patients; what is the name of this orderly in the dining-room? A. Thomas Muldoon.

Q. Who was he? A. An orderly in charge of the dining-room.

Q. Is he still there so far as you know? A. I don't know.

Q. How severe was the punishment which Muldoon inflicted upon this inmate? A. Not severe enough to cause any physical injury.

Q. In your report you speak of the fact that Muldoon kicked this inmate and grabbed him by the wrists until the inmate screamed; you witnessed that? A. Yes.

Q. Did you in any way stop that cruel treatment? A. No.

Q. Did you see boys who seemed to be in danger of real bodily harm and were in need of assistance and you did nothing? A. No; I didn't consider the boy was in danger of suffering any physical permanent injury.

Q. Tell us about your other discoveries on the Island in reference to general conditions. A. That is rather general.

Q. Tell us any of the experiences you can which you subsequently reported to the department as the result of your inspection? A. I reported on a great many things, the method of handling the food supplies to the wards, feeding patients.

Q. Can you give us any details of that? A. Under the last mentioned in several of the wards I noted on various occasions that certain patients did not receive the allowances of food granted the others.

Q. Did you make inquiry as to why there was a variation in the allowance? A. I did, of several orderlies and inmates.

Q. Was there any valid reason assigned to you for this difference in allowance? A. That there simply wasn't enough to go around or that the inmates didn't eat the food anyhow.

Q. Was there any truth in that last statement so far as you saw or knew? A. I frequently saw bowls of cereal which was uneaten by the inmates to whom it was given.

Q. You made inquiry of no one except orderlies or inmates as to the variation of this food allowance? A. No.

Q. Were any complaints ever made to you while an orderly by any inmates that they hadn't received enough food? A. I don't recall them.

Q. Isn't it a fact that you never received any complaints? A. I can't recall any.

Q. Wouldn't you recall it if you had? A. I might.

Q. You recall most of the important happenings on the Island? A. Yes.

Q. And you can recall no instance in which any inmate told you he or she did not receive enough food? A. No, sir.

Q. When did you report these conditions to the Commissioner, after each occurrence or did you wait until your final report was ready? A. I made a general report after my service on the Island but frequently when I was on the Island I reported verbally to Mr. Dinwiddie and I think several times to Mr. Kingsbury.

Q. So far as you know were any steps taken by Commissioner Kingsbury at the time of receiving your reports to remedy any of these abuses you reported back? A. I don't know of any.

Q. What other subjects of the administration work on the Island did your investigation cover — besides food supplies and the cruel treatment of inmates? A. I believe I reported about the lack of screens on the dining-rooms and wards.

Q. Did you find out or try to find out whether there were such screens on the Island? A. No.

Q. You simply noticed there were none? A. There were none.

Q. And in consequence of the unscreened condition of doors and windows what results followed? A. Mosquitoes and flies were in great abundance in the wards and dining-rooms.

Q. Were there none on any of the buildings? A. Some were placed in some of the dining-rooms and possibly some of the wards during the end of my service.

Q. Did you have access to the linen closet or rooms where fresh sheets are kept? A. For that ward.

Q. And there were none? A. I had used practically all that there were at the time I reported.

Q. You made no complaint to anybody except that supervising nurse as to the insufficiency of the supply for that ward? A. No, sir.

Q. You thought it sufficient to mention it to the supervising nurse? A. Yes sir.

Q. As a matter of fact weren't you sent over there to find out things from the standpoint of one seeking to find unsatisfactory conditions? A. No.

Q. What was your last day's service there? A. August 15.

Q. What instructions were given you by Mr. Dinwiddie? A. As closely as I can recall my instructions were to get work on the

Island as an orderly without my true position being known and see from the inside what I could of conditions particularly as regards the care of the children; I don't recall anything more definite than that.

Q. When you applied for work did you apply just as you are now? A. No.

Q. You never reported to the departmental authorities that the superintendent on the Island had had knowledge of these occurrences? A. No.

Q. You never understood that that knowledge was brought home to her at the time of these beatings and cases of inhumane treatment? A. No, sir.

Q. How did you come to be selected for this particular work when you had no experience? A. My work in the University of Washington where I took my bachelor's and master's degrees was along sociological lines. I had taken considerable honors along that field and was considered quite well qualified for the position by Mr. Kingsbury. I came to New York and applied to him.

Q. This was the first institutional work you had done? A. Broadly speaking, yes.

Q. Are you a citizen here? A. Yes.

Q. Were you a citizen when employed? A. I hadn't gained a residence when employed.

Q. When did you gain such residence? A. I considered I was a citizen as soon as I came here and my residence as soon as the law allowed.

Q. Did you know Mr. Kingsbury before? A. A slight acquaintance; I believe I had met him on one or two occasions.

Q. Where? A. In Seattle.

Q. Who recommended you to Mr. Kingsbury? A. Certain of the Faculty of the University of Washington.

Q. Who else? A. I don't recall anyone else.

Q. Have you recommendations on file with the Commissioner stating your qualifications for this place? A. I couldn't tell you whether I have or not.

CONFIDENTIAL INSPECTOR RICE QUOTED AT LENGTH

The above testimony of Confidential Inspector Rice is quoted at length inasmuch as he is practically the only witness who testified to seeing inmates ill-treated by hospital helper attendants.

Despite the testimony given by Mr. Rice it is a fact that it was nearly a year later that one of the attendants he speaks of was dismissed "For the good of the service," another attendant, said to be a drunkard, left of his own accord and was re-employed, a third also left of his own accord, while the woman attendant complained of was dismissed and immediately re-employed because the present chief authorities on the Island became satisfied that she was mistakenly accused by Mr. Rice.

Dr. Peet's testimony on pages 351 and 352.

Q. Did you on the occasion of any of your visits see any instance of corporal punishment or brutal treatment of the inmates?

A. I don't recall; I might have seen some.

Q. And did you on the occasion of any of your visits see children kept in physical restraint by tying them? A. Yes.

Q. That is subject to the doctors' orders as a rule? A. That does not come within my department except so far as I have operated upon cases; I have operated on cases and have been obliged to order the cases restrained because of violence; if you want a specific case I can give it.

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Q. Did you ever see any cases of corporal punishment? A. I don't remember I have.

Q. That was one of the charges against Mrs. Dunphy? A. As I recall.

Q. So when you stated the charges were substantially true you didn't mean the charge as to corporal punishment was true; you had never seen any cases? A. That was written by several men.

Rabbi Berenberg's testimony on page 378.

Q. Do you come in contact with all the Jewish children on your weekly visits? A. All that can come to the service.

Q. Other than those that come to the service, you don't see or come in touch with the inmates on the Island? A. No; I am occasionally called to the wards to see some.

Q. Did you at any time during your connection with the work receive any complaints on Randall's Island of brutal or inhuman treatment of the inmates? A. No, sir.

Richard Beatty's testimony on page 380.

Q. Did you have a full opportunity during your long service on the Island to see most of the inmates and observe their mode of treatment and the manner in which they were handled by orderlies and nurses? A. Yes, sir.

Q. Did you ever see any cases of brutal or inhumane treatment? A. No, sir.

Q. Were any complaints ever made to you by any of the inmates that they were mishandled or maltreated by the orderlies and attendants? A. No, sir.

Dr. Harris' testimony on pages 386, 387 and 388.

Q. What was the number of those cases on the Island, normal sick children who came under your care on the Island during the last year and a half? A. There were about three or four hundred, sometimes three to five hundred normal children, a number were skin and eye cases and in the medical wards there were probably a hundred I should say.

Q. Outside of your contact with these hundred children did you have much of an opportunity to inspect and get in touch with general conditions on the Island on the occasion of your visits or any other occasions? A. Not except so far as to looking after nursing and diet had any connection with it.

Q. Did you ever see evidence of cruel and inhumane treatment? A. Personally I did not.

Q. Did you ever see cases of improper restraint of inmates where such restraint had not been ordered by a doctor or nurse? A. No; I never saw any personally.

Q. Did you prior to signing and sending this letter have occasion to examine the specifications embraced in the so-called Dunphy charges? A. Yes.

Q. Cruel and inhuman treatment? A. No; I have no personal knowledge and yet that was reported by the Ex-President of the Society of the Medical Board of his personal knowledge.

Q. Do you mind giving us the name of that Ex-President? A. Dr. Stowell made a statement of that and I believed him.

Q. Without having any knowledge of your own other than his own statement? A. Exactly.

Q. The second had to do with the restraint of the feeble-minded. A. I had no personal knowledge.

Q. Did you similarly have the direct word of somebody as to that specification of charges against Mrs. Dunphy of the improper restraint of inmates? A. I don't recall.

Q. You do recall however that Dr. Stowell was your authority as to cruel treatment but you can't tell of anybody who told you of the restraint of inmates by tying them without orders from a nurse or physicians? A. No.

Dr. Stowell's testimony on page 399.

Q. Did you ever witness brutal or inhumane treatment of inmates? A. I have witnessed corporal punishment and have witnessed other children being cowed with sticks; I don't disapprove of corporal punishment.

Q. Can you give any instances of brutal or inhumane treatment you personally saw? A. For instance I was going upstairs in the South Hospital and I heard a hullabaloo and went in and saw the head nurse and the nurse of the ward standing by while an older feeble-minded boy was beating another with a strap under their supervision. They didn't touch the boy but they stood by and countenanced the beating of the boy by another. I went to the superintendent and told her; she thought it couldn't be so, but I asked her what they had a black strap in so many wards for, somebody must use them.

Q. Did you protest to the ward nurse and the head nurse? A. I had no occasion to, they went four ways at once in less time than it takes me to tell it.

Q. Was that the only instance in which you have seen corporal punishment? A. That I recall now.

Mrs. Hazard's testimony on pages 405 and 406.

Q. In your many visits to the Island and observation did you ever see any instance of cruel or brutal or inhumane treatment of the inmates? A. I never did. One of the terrible things there was the very low class of attendants which was necessary owing to the ridiculous prices paid there and it was a matter of astonishment

to me that so low a grade of attendants could be as capable as they were and have such patience with such trying patients as these feeble-minded patients are.

Max Niklas, former deputy superintendent, Randall's Island, testimony on page 419.

Q. Did you ever see any cruel or brutal or inhumane treatment of inmates? A. Never.

Miss Johnson's testimony on page 427.

Q. Did you ever see any of the feeble-minded children improperly, cruelly or inhumanely treated by orderlies or attendants? A. In one instance, in the year 1910, consisting of an orderly who had been on the Island for ten years I think, kicking a boy and throwing him to the ground and down in the playground in full view of all the inmates. I wrote a report of that fact. He was discharged very soon after my letter was received.

Q. Who discharged him? A. The superintendent discharged him. If I might add, the only thing that seemed of interest really was the openness of the things.

Mrs. Dunphy's, testimony on pages 490, 491 and 493.

Q. Your statement before Commissioner Wright was that you had heard of only five cases of brutal treatment that had come up during your period? A. And I named them, and they were dismissed.

Q. And you have no recollection of any other cases? A. I have no knowledge of any other case and the case of this Elmore I don't remember of his ever coming to me with a black eye or hearing of it.

Q. You are aware that Mr. Rice has reported here of considerable brutality, of various instances of brutality? A. I have heard it; it is absolutely untrue that it should have occurred without my knowing it; every case of beating or striking was reported to the Commissioner and the offender was recommended for dismissal.

Q. The inference in that is that Rice wasn't telling the truth or am I to draw my own inference from it? A. It is absolutely untrue.

* * * * *

Q. I find in the files of the Department an affidavit by Harry Baker as to brutalities by orderly Joseph P. Blake. A. I always regarded him as an excellent man.

Q. And no instances of brutality were reported to you? A. No; Baker was one of the human derelicts who received \$10 a month and was dismissed for intoxication.

Acting Superintendent Flick's testimony on pages 521, 522, 523 and 524.

Q. You have testified heretofore in this proceeding that you are the acting superintendent of the institutions here; are you still acting in that capacity? A. Yes.

Q. Do you, as acting superintendent, have occasion to mete out punishment to delinquents or wrongdoers on the Island? A. Yes, sir.

Q. What form does that punishment take? A. Deprivation of privileges, isolation, a coarser kind of diet.

Q. What are the privileges of which you deprive offenders? A. For slight punishment deprive them of gymnasium during the evening; deprive them of visits for one or two or three visits.

Q. The right to receive visits? A. The right to receive visits from their parents. If that is more serious, isolation and restrain them by permission of the doctor.

Q. What form does the isolation take; where do you confine them? A. In the basement.

Q. Of what building? A. The basement of F2 Building.

Q. F2 Building; is that one of the older buildings? A. Yes, that is an old building.

* * * * *

Q. What is the condition of this basement in which this isolation is had? A. It is dry, well aired and well ventilated.

Q. So that the immediate physical surroundings are fairly hygienic and sanitary? A. Hygienic and sanitary, yes, for a short period.

Q. Is there further physical restraint than the isolation in some of these cases? A. There has been physical restraining with the permission of the doctors.

Q. What form does that take, strait jacket? A. He is tied around the feet and arms.

Q. Around both feet and arms? A. Around their body for a short time.

Q. Can the inmates who are so physically restrained walk? Are they permitted to move around? A. They are tied down to beds.

Q. For how long does such restraint continue? A. A period for about twenty-four hours at a time.

Q. How are these inmates fed during this period of restraint? A. By a nurse.

Q. And is there a similar restraint of diet during this period of punishment? A. Bread and milk.

Q. Which was an accumulated punishment added to the isolation? A. The diet, that is a part of the punishment.

Q. For what wrongdoings or delinquencies are these penalties inflicted? A. We have here a minimum to about seventy-five cases who are committed here by the court, from the Supreme Court, General Sessions, boys from 18 to 24 years of age, who are really criminal and need strict discipline. As we have no disciplinary building it is necessary to inflict punishment upon these criminal delinquents, otherwise their influence over the feeble-minded portion of the institution will be so deleterious that it would be impossible to conduct properly the business of the institution. It is true that those criminal cases should not be confined on Randall's Island but we haven't found a way yet to take them away from the Island; they are criminals and delinquents; by stretching a line perhaps you can call them high grade feeble-minded.

Q. This punishment is only inflicted upon the criminal? A. Yes, those committed by the courts, that is people who in the courts, in the regular course of court procedure will very likely get two years in State Prison.

Q. Has this infliction of punishment the approval of the heads of the department? A. Yes.

Q. Do they know of it? A. Yes.

Q. Does Commissioner Kingsbury know of it? A. He knows of the criminals. I don't know whether Commissioner Kingsbury knows it or not; Commissioner Wright knows of it; we advised means to do it and it was approved, that isolation.

Q. Deputy Commissioner Wright approves this measure of punishing delinquents? A. Criminal delinquents.

Q. Are any of these delinquents kept in this physical restraint and isolation for a period of longer than twenty-four hours? A. It does occur in a few occasions on the recommendation of the doctor.

Q. How long did isolation of delinquents continue in these few cases? A. Three days.

Miss Barton's testimony on page 539.

Q. You are employed in what capacity? A. As nurse.

Q. How long have you been upon the Island? A. Five years.

Q. Are you aware of a rule in force on this Island which prohibits the infliction of corporal punishment upon an offender? A. Yes.

Q. Did you ever violate that rule by inflicting corporal punishment upon a child? A. Never.

Q. If the records of this Committee show a charge that you struck an inmate or inflicted corporal punishment upon a child, is that true? A. It is not true because I have never struck a child on the Island; I have been twenty-five years a nurse and have never been complained of before.

Q. Do you know Mr. Stuart A. Rice who is an investigator of the Department of Public Charities? A. I believe he was in the ward one night and I have never seen him since.

Q. Do you know who he is? A. I remember seeing him in the night ward.

Q. Did you ever in his presence strike or hit an inmate? A. No.

Q. Did you ever at any time violate the rule as to the infliction of corporal punishment? A. I did not.

Q. And if Rice makes that statement that you did so strike a child? A. It is erroneous because I have never struck a child; the children wouldn't be so fond of me if I was cruel to them.

SECOND. THE TESTIMONY WITH RELATION TO THE ALLEGED IMPROPER RESTRAINT OF INMATES

Inspector Dinwiddie's testimony on page 14.

Q. Did you ever see any evidence of any physical harm to a child by reason of being restrained in that manner? A. I don't think I did.

Q. Did you know Dr. Bernstein of Rome? A. Not personally. I have had correspondence with him.

Q. Do you know that he is considered an authority on feeble-minded? A. I know.

Q. Did you ever visit the institution at Rome? A. No, sir.

Q. You could see many persons confined up there to prevent their scratching their faces, tearing their hair and tearing their clothes. A. I don't understand the rule that forbids the confinement without order of a physician.

Q. I am not speaking of the rules. No evil results happened that you know of? A. Not to my personal knowledge.

Father Jansen's testimony on page 261.

Q. Did you ever see any cases of corporal punishment or where brutal or vicious punishment had been administered? A. No, I saw the female idiots, A B C Building, that some were tied and had a strait jacket on and I immediately saw that was necessary and did no longer inquire.

Q. Do you mean you found it was necessary by inquiry? A. No, by appearance; by looking and everything I sized up the person.

Q. What did you think those idiots would do if not confined? A. I think they would do harm to themselves and perhaps lift their clothing or something of that kind, that is the impression it made on me.

Q. Did you see any punishment whatever? A. No; I have never seen anything of the kind.

Dr. Cornwell's testimony on page 224.

Q. Did you on the occasion of your various visits see signs of physical restraint, patients tied to beds? A. Yes. It was done pursuant to order.

Q. Do you know of any instances in which restraint was had without order contrary to the rules? A. Never.

Q. What is the object of this restraint? A. The object of the restraint is twofold. In a great many instances it is for the purpose of preventing patients who have a number of convulsions every day, as a good many do, from injuring themselves. In others it is for the purpose of maintaining patients in an erect position who are not only mentally feeble-minded but physically so helpless they cannot sit up.

Q. What form does this restraint take? A. It takes the form of a strap being carried around the body and to the back of the chair. Some of the irritable and epileptics have to have jackets put on with blind sleeves in order to prevent them from mutilating themselves. That is done as a matter of protection and not as a measure of discipline.

Acting Superintendent Flick's testimony on pages 271 and 272.

Q. Do you still follow on the Island the practice of physical restraint of some of the inmates? A. Yes.

Q. That is had in what cases, do you know? A. In the lower class of idiots where the patient if he is under restraint is not going to harm himself or harm another patient.

Q. In these cases the order of restraint is originally given by one of the physicians? A. Yes.

Q. And then the restraining is had simply because of that order? A. Yes; because it is necessary.

Q. There is no case in which it is done without the physician's order? A. There is no case in which there is a strait jacket without a physician's orders.

Q. And when you see one of these cases do you find out whether there is an order for it? A. I find out about it.

Dr. Stowell's testimony on page 400.

Q. The second of the charges or specifications refers to tying the hands of the feeble minded children and placing them in strait jackets and in restraining jackets without orders of physicians; do you personally know whether children were restrained without a physician's order? A. I know a great deal of the time I

was on duty there was too much restraint of cases; I can understand that some had to be restrained at times; frequently we had to get after the house staff because it is the easiest thing to do with a feeble minded idiot if he runs away and is troublesome is to tie him up.

Q. Did you ever inquire in any of these cases where you saw restraint practiced whether orders had been received from the physician or nurse so to restrain the inmates? A. I don't remember any specific case.

Q. Do you know any specific case in which there was restraining without an order from any physician or head nurse? A. I know of no specific case; I know it used to come up frequently that there was too much restraint of cases.

Q. Who was the official to decide upon restraint, the house surgeon or the nurse in charge? A. According to the rules, the house physician.

Mrs. Hazard's testimony on page 406.

Q. Did you see much of the so-called restraint of patients? A. I have seen some.

Q. Did you inquire into such cases? A. I inquired a few months ago of a boy and I went up to him and said: "Why are you tied here?" and he said: "Because I fall on my head," and he was an epileptic and he was sitting in a chair and he was tied so he could not fall over, and that was all.

Max Niklas' testimony on page 419.

Q. Did you ever see any restraint of inmates without the orders of physicians or nurses? A. Never, without the orders of the physicians and in every case I inquired into it was with the permission of the doctor given in every instance.

THIRD. TESTIMONY WITH RELATION TO THE ALLEGED FAILURE TO QUARANTINE AND SEGREGATE INMATES

Deputy Commissioner Wright's testimony on pages 20, 21, 22a, 32a, 38, 39, 40 and 41.

Q. You have charge of the medication, or the supervision of the giving of medicines on Randall's Island? A. No.

Q. What is your connection with that branch of the service on the Island? A. The supervision of the requisitions for medical and surgical supplies and seeing that they are got to the institution. The medication itself is given by the Medical Board.

Q. Can you tell us in a general way what you know of the conditions on the Island in so far as they apparently need betterment? A. That is a rather broad assignment.

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Q. Were there any evil consequences attendant upon this practice of intermingling you have described? A. I would refer you to the report of the General Inspector who examined carefully the record of a large number of patients.

Q. You don't of your own knowledge know of any and can't give us any facts of your own knowledge? A. No.

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Q. Do you know the percentage of employees who after a limited period of service quit? A. I can't tell you that.

Q. Is it not true that by increasing the wage scale and by getting a better class of employees you found a larger percentage of people who stayed permanently in the service? A. Yes.

Q. Do you find any better result as far as the isolation of patients is concerned? A. Yes.

* * * * *

Q. You found fault with this reception building, and the patients and the children not being isolated, you are in charge of that and yet you had no system devised for correcting it? A. We put those things first up to the officers of an institution always. We call their attention to certain evil results. There was a requisition that came to us last year for the building of two more isolation buildings which means caring for people after getting a contagious disease. We asked at that time the question why an effort wasn't made to stop the disease at the inception rather than at the isolation and various efforts were made to get the thing corrected but it wasn't done until we took hold and readjusted matters. We took away all common dining rooms. Each group of children is taken in and examined, the group going in a particular department. A group is put in a certain building in a certain room and kept there ten days and they are fed in their own particular room

and the greatest precautions are taken in not allowing nurses to go from one division to another without washing and great precautions. The serving attendants that we harbored in that building were moved out so that they would not be common carriers and sliding doors are being erected at divisions in hallways to make it impossible for children to get away from the nurse and getting over to another division. None of these things were carried out two months ago. I consider them fundamental and a medical man surely must consider them so.

Q. Who did you request to have this carried out when you saw the conditions? A. The superintendent and the Medical Board, both.

Q. What reply did you get from the Medical Board? A. They replied that they would take hold of it.

Q. I want to satisfy myself on one point. Fault was found by you, you testified, with regard to the reception building. I want to get at the cause of that fault and you haven't yet explained to me sufficiently where the fault lies. You having been the executive officer for the past seventeen months, what explanation have you to make to us showing that you performed your duties as executive officer to see these children were properly isolated before they were distributed? A. When we give orders or suggestions to the Superintendent or anybody else we expect to give a reasonable length of time for carrying them out. They were not detailed suggestions, they were suggestions to reduce the possibility of cross infection. I don't consider it my duty to take up these details until forced to do so because somebody else doesn't do so. These fundamental conditions were called to the attention of both the Superintendent and the Medical Board and as time passed on they were corrected in minor degree only. Certain things were done. Apparently there was less running around than before and a little more care on the part of the nurses but from time to time we found out what was actually being done and the results were not as we wanted them.

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Q. Mr. Wright, has there ever been on Randall's Island to your knowledge or information an infectious disease carried out from

the detention hospital, or reception buildings? A. I don't believe I could say so.

Q. Did you ever hear of one? A. There are current rumors.

Dr. Books' testimony on pages 133, 134 and 135.

Q. You are house surgeon, are you not? A. Resident physician.

Q. If there is any grave illness you are the first one appealed to? A. Myself or Dr. Reed, the other physician.

By Mr. Cotton:

Q. Has there been contagious disease upon the Island? A. Lots of it.

Q. What do you attribute it to? A. Visitors to the Island, to the wards.

Q. Visitors coming into the wards? A. Yes.

Q. And do you think they spread contagious diseases that way? A. I think it is carried there that way; it is the only possible way and it is brought there by one child and the other children contract it.

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Q. It was testified to here by the deputy commissioner that a great many of the children were kept in the detention hospital or reception hospital but there seemed to be no reason given why; it was simply stated that some of the children were kept there a week or ten days? A. Some of the older boys and girls, not many, are kept there to help in the wards.

Q. They are assigned there and might be there any length of time, months? A. Yes; there is one girl who has been there ever since I have been there, helping in the pavilion on the first floor, the girls' wards.

Q. Is the danger any greater there than it is on the wards where visitors come in? A. It can't be because all the trouble with infectious diseases and contagious diseases has been on the wards.

Q. Do you have any stated period of keeping newcomers in this detention hospital? A. Ten days.

Q. Is this sufficient to cover all possible cases of incubation of contagious diseases? A. Except measles.

Q. How long a period would be required in that case? A. Fourteen days.

Q. You don't, however, detain your newcomers fourteen days? A. No; we usually haven't the room to do it.

Q. Do your statistics show many cases of measles carried by newcomers? A. No.

Commissioner Kingsbury's testimony on pages 163, 164 and 174.

Q. Did you not think the members of this Atypical Board consisting of doctors were competent to pass upon the proper safeguards against the spread of communicable diseases? A. I had my doubts; the men who were visiting there, the very distinguished members of that Board, were consultants and didn't visit regularly.

Q. How many members were there on this Board? A. I think there were seven.

Q. And you divide that Board into very distinguished members and less distinguished? A. Yes.

Q. Will you tell us who the very distinguished as well as the less distinguished members were? A. Dr. Carlos F. MacDonald and Dr. Mabon; they didn't know anything about it.

Q. Who else were of these very distinguished members? A. Dr. Saxe, I should think.

Q. Are these the only members? A. I could make another classification, of celebrated or notorious characters —

Q. No, we wont ask you to do that. Can you give the names of the other members of this Board or such as you recall? A. Dr. Bisch, I think is a member; Dr. Cornwell is a member.

Q. Is that all? A. Oh, Dr. Schlapp, I forgot, is a member, Dr. Max Schlapp, and then there are one or two more; how many is that?

Q. You have named six. A. There is another.

Q. Did we understand you to say that you didn't believe that some of the members of this Board are competent to pass upon the question of preventing the spread of communicable disease? A. I mean they were not concerning themselves with that and it is not their specialty. Dr. Bisch, for example, has no general practice at all; he considers himself a specialist in mental

diseases; Dr. Schlapp concerns himself entirely with mental diseases. The general order seemed to recognize that that board was not expected to have knowledge of that; it indicated that in medical questions of that kind this board would call in the members of the other board to advise and treat these cases, but as a matter of fact they didn't call them or if they did it was on rare occasions.

Q. Any board comprised of a number of practitioners, whether specialists or not, ought to be able to pass upon this question? A. There are some doctors who have been so long out of practice they say they wouldn't attempt to; this board made no examinations so far as I can determine until the cases were flagrant, until the cases were ill.

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Q. In what way could the blame be brought home to the superintendent, a woman who was a layman and not a doctor? A. For failing to carry out orders for the segregation and treatment of patients.

Q. Who was charged with the treatment of patients under the doctors' care? A. The nurses, the superintendent primarily.

Q. The superintendent primarily and at all times must take orders from the doctors who treat these children? A. Yes.

Q. So if blame there be for laxity of treatment that ought to rest in the first place with these two medical boards rather than the superintendent? A. Yes; I think they should share it.

Q. How far have these conditions been corrected since the abolition of this one board? A. To a large extent.

Q. Isn't there some intercommunication of disease from patient to patient or from visitors to patients? A. I think it has been cared for pretty carefully.

Inspector Parks' testimony on pages 186, 195, 196, 197 and 198.

Q. What did you find about the skin disease charge? A. It hadn't been treated with sufficient promptitude and energy.

Q. Whose fault was it? A. The house physician admitted it had been his fault. He had been away on vacation and he had omitted to give instructions to his assistant.

Q. And it was not the fault of any lay superintendent? A. No.

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Q. In the condition of the Island at the time you saw it did you regard the detention service as adequate? A. What do you mean by detention service?

Q. Did you examine into it? A. At the time of my inspection there were very few children in the reception hospital; it showed only 13 in the building altogether that could accommodate 50. It was stated there was a ten days' reception quarantine which in my opinion was inadequate.

Q. Did you find proper isolation of contagious cases when you went there in April? A. In regard to the reception quarantine, none of the children at that time had any communicable diseases. There was scarlet fever prevalent in two or three wards and in the school wards and they were isolated.

* * * * *

Q. Did you make any inquiry in the course of your inspections there in April as to the changes if any in the number of toys and games and facilities for recreation and for play for the inmates with what had been the rule before the suspension of the superintendent in the fore part of March? A. No.

Q. Was any statement of differences or changed conditions from what had been the rule made to you? A. Only the statement that except in matters of detail there had been no radical changes made.

Q. By whom was that told you? A. By Mr. Flick.

Dr. Schlapp's testimony on pages 210, 211 and 212.

Q. How far in your opinion if at all was there any communication of disease on the Island incurred through the coming over of parents and visitors to the inmates? A. I should say all the infections or most of them spread in that way, brought over by the visitors, that is, from the families of the children.

Q. Do you state that of and from your own observation? A. There are cases we know where they had received visitors a day previous to the outbreak of scarlet fever; there are several cases known where a certain inmate had received a visit from their

family and a day or forty-eight hours after that same patient had scarlet fever.

Q. How far in your opinion was there any intercommunication of contagious disease on the Island from inmate to inmate from improper precautions or negligence on the part of those in supervisory control? A. Whenever symptoms were observed in any patient indicating contagious disease it was isolated and placed in the shacks, small buildings away from the rest of the wards.

Q. Under whose supervision and authority was this segregation of suspected cases had? A. Under the Medical Board, the Atypical Board, having to do with out-children, and they were then placed over in the shacks and treated by the internes.

Q. No part of it would fall directly or indirectly upon the superintendent, that was not for lay supervision? A. No; that was in the hands of the Medical Board and physicians on the Island.

Q. So far as you know and observed how far were the typical and atypical cases permitted to mingle in the eating rooms and playgrounds and institutional buildings? A. The reception ward is one building and the typical as well as the others are admitted in this reception ward and there is one dining ward and the children are allowed to mingle.

Q. For how long a period of time? A. Two weeks.

Q. So this intermingling was confined to this period of detention in the reception ward? A. The children were sent over to respective wards where they belonged and after that there was no mingling unless it might be the child might walk along the street and pass by other children.

Q. So far as you know was this intermingling the cause of the spread of any contagion on the Island? A. Not that I know of.

Q. You would be apt to know? A. I should think so.

Q. Do you know of any such instances? A. No, I know of no such instances.

Dr. Cornwell's testimony on pages 225, 226, 231 and 232.

Q. Do you know what percentage of atypical cases suffer from infectious diseases, contracting the disease after admission to the Island? A. I think I can't tell you just what proportion.

Q. Was it large? A. I think it was large.

Q. To what do you ascribe this? A. To the fact that the infection was brought to the Island by their relatives and friends.

Q. On what ground do you base that belief? A. Because I don't see any other way in which it could be brought. They come to the Island as feeble-minded or otherwise defective mental cases. They do not come as suffering from any acute infectious disease. There is no more reason for suspecting them of carrying an infectious disease to the Island than their parents when they come and visit and yet we keep these patients in the detention hospital for two weeks but have never exercised any supervision over the relatives and friends who have come to visit them. It is rather paradoxical.

Q. Are there no department rules regulating the matter of visits? A. No.

Q. Do you think it is a good part of administration to have no supervision or regulation of the right of visit by parents and relatives? A. Theoretically it is very bad but practically I don't think it could ever work out. I don't think it could because so much sentimental publicity would be given to the fact that the plan would fail because the people would not stand for it although it would be the best thing for all concerned.

Q. Do you ascribe the presence of this contagion and infection to improper segregation of sick cases? A. I do not.

Q. You think the segregation of the diseased cases is complete? A. Yes, and I think when you compare it with the conditions that exist in many other hospitals you will find there will be a favorable comparison.

Q. Since the dismissal of your Atypical Board haven't new doctors been appointed to the remaining general board so that in combined membership it equals the combined membership on the two old boards? A. I don't know anything about that.

Q. Assuming that that has been done and that the new members who have been added are more or less specialists in this administration work, would not the substitution of the new board be preferable to the continuance of the old two separate boards? A. Well, it depends on what you mean by a single board; if you mean a board divided up into services each of which service deals

with a particular class of cases then I should say that is equivalent to having separate boards.

Q. Do you think it proper to have typical and atypical cases on Randall's Island? A. I don't think it makes any difference if there can be separation.

Q. Isn't it a fact that complete separation and segregation is more or less impossible? A. Yes.

Q. Dr. Books your house surgeon testified that while he was on the Island my recollection is that he only had under his service in eight months I think seven cases of measles and eight cases of scarlet fever. Is that about the average for eight months for 2,000 children? A. I think there is more than that on the Island.

Q. What would you say from your experience if there were seven cases of measles and eight cases of scarlet fever, what would you say as to the frequency of these diseases? A. I should say it was a very small proportion of that population.

Q. Do you know of any case or cases of contagion or infection emanating from the reception hospital? A. I cannot specifically recall any.

Q. If there were any you would be notified. A. Yes.

Dr. Brundage's testimony on pages 236 and 237.

Q. To what do you ascribe that spread of infection on the Island? A. It could be brought in to them or they would have had to contract it before admission and in that case it would have to break out within a few days, or few weeks.

Q. What percentage fell within that few weeks? A. Numerous cases.

Q. Excluding these cases to what do you ascribe the infection in the other cases? A. Brought in to the institution.

Q. By whom? A. By inmates subsequently admitted, by parents or may well have originated on the Island.

Q. From what source? A. Because the buildings were old and in poor repair and there are cases of infectious disease where we cannot account for the source whether they be in the city or in an institution.

Q. Was proper segregation had of these cases on the Island, of inmates who were suffering from contagious diseases so there

could be no direct communication to other children? A. So far as we had room.

Q. That wouldn't fall to the superintendent who was a layman? A. No. The superintendent could not transfer cases if she wished it.

Q. Is that the rule? A. That is the rule.

Q. Are you sure? A. I am sure.

Dr. Bisch's testimony on page 242.

Q. Can you give any instance of how complete the safeguards were to prevent intercommunication between one group of inmates and others? A. Quite complete.

Q. Wherein did they consist? A. As soon as an infectious disease was discovered it was immediately segregated and there were certain cottages devoted to scarlet fever, measles, and so forth. Our board as the Medical Board soon after it was appointed brought in the custom of taking diphtheria cultures on every case admitted.

Q. This matter of segregating infectious disease cases from others was apparently a matter of medical supervision and not for the superintendent who was a layman? A. Absolutely.

Dr. Stechmann's testimony on pages 254 and 255.

Q. What percentage of the atypical cases, as far as you know, suffer from infectious or contagious diseases contracted subsequent to their admission to the Island? A. I couldn't tell what percentage but the percentage would always be higher than among normal children because their power of resistance is less; they are more liable to contract them.

Q. You are speaking of contagious diseases contracted subsequent to admission? A. Yes.

Q. Was that to be ascribed in any way to improper segregation of the inmates suffering from those diseases? A. No; I think it was from allowing outsiders to call upon them, outsiders coming to the Island and mixing with the children.

Q. Was there any departmental rule forbidding such visits? A. No; not that I know of.

Q. Who had the power to pass such a rule? A. I think the Commissioner had the power.

Q. Was in your opinion any of these contagious diseases or their spread due to improper segregation of inmates or improper separation? A. No; we had complaints sometimes of improper segregation but it was usually in tuberculosis cases and we were told when we reported upon it that there were not sufficient localities to take care of them.

Q. Would you consider this question of segregation one that should be properly handled by a lay superintendent or the Medical Board? A. I should think the medical authorities should be responsible.

Acting Superintendent Flick's testimony on page 272.

Q. Do you know of your own knowledge since you have come to the Island what percentage of contagious disease there is contracted by the atypical children subsequent to their admission? A. No.

Q. Is there much contagious disease, if you know, contracted by the atypical inmates subsequent to their admission and while they are on the Island? A. No.

Q. Have you done anything looking to the segregation of the typical from the atypical cases to make impossible the intercommunication of disease? A. We have put the different classes coming in reception in a different dining room; we suppressed the visitors in the detention hospital completely. We reduced the number of visiting days on the Island.

Q. By detention hospital do you mean where you retain the newly received inmates? A. Ten days.

Q. And they are kept separate from the other inmates? A. Yes.

Dr. Peet's testimony pages 349, 350 and 351.

Q. Do you ascribe this spread of contagious disease on the Island to the division into two medical boards? A. Partly and partly to the fact that the Atypical Board consisted of neurologists.

Q. No responsibility for that spread of contagious diseases could attach to any lay person on the Island. A. Yes; the by-laws call for the superintendent's informing us of the spread of these contagious diseases, it is not proper to call them contagious although some of them are contagious,—communicable diseases.

Q. The steps taken to prevent such further spread would be taken in the first instance by some one of the Medical Board? A. No, I should hardly answer that in the affirmative for this reason: when I was chairman of the inspection committee I called Mrs. Dunphy's attention to the fact that communicable and contagious diseases were spreading and it was one of the things that should be done, to segregate these cases; she made no effort to provide for segregating them and putting those of one form of contagious disease by themselves.

Q. Did any member of your Board ever give specific orders for the segregation of specific cases? A. I have myself given specific orders when I knew the Board of Health were going to visit there.

Q. Were they carried out in every instance? A. So far as I could recall. We made a great effort to see we made as good appearance as we could possibly make.

Q. So far as you know any specific orders brought to the notice of the superintendent by the members, by any members of the Medical Board or yourself were always observed and carried out? A. So far as I know. These were not specific orders to the superintendent; I talked with the superintendent about the segregation of these cases; she invariably answered me in a certain formal manner, "Yes, doctor; you know as well as I do, doctor, these things have been going on for a long time, and yes doctor, we will attend to it," and secondly when I learned that the Board of Health were likely to make their inspection I went to the supervising nurse who has charge of the nurses and said: "That case must be removed to the quarantine and not left in this ward any longer," and so far as I know it was removed.

Richard Beatty's testimony on page 381.

Q. Your duties were confined entirely to the hospital cases and the normal boys at the school and playgrounds? A. Yes.

Q. From your hospital experience are you able to tell us whether there was a more or less complete separation of contagious diseases from the other inmates or children? A. It was very strict that children suffering from contagious diseases were kept absolutely separate and not kept in contact with any children on the Island.

Q. Was there more or less complete segregation of the normal children from the atypical cases? A. Yes, sir.

Dr. Harris' testimony on pages 387 and 388.

Q. What was your belief as to the truth or sufficiency of these charges? A. I was a member of the Medical Board which is divided into different divisions and I remember on the presentation to the Medical Board of the Division of Contagious Diseases and from the Division on Skin, and Eye, that there was a great deal of mixed infection, secondary infections upon the Island and want of proper segregation.

Q. To a certain extent don't you regard that question of segregation as one properly of medical supervision rather than lay supervision? A. The complaints were made by the Division of Eye and Skin Diseases to the Board because their orders were not carried out.

Q. To whom were they given in the first instance? A. By the members of these Divisions to someone in authority; it was upon the minutes of the Medical Board.

Q. And it was only in regard to this one count that you had formed a definite opinion? A. What are the others?

Q. Cruel and inhuman treatment? A. No; I have no personal knowledge and yet that was reported by the Ex-President of the Society of the Medical Board of his personal knowledge.

Mrs. Hazard's testimony on pages 409 and 410.

I would like to say a word about the medical boards which have been discussed here so freely. The two medical boards grew in a large degree I think, out of a very unfortunate thing that the city did in paying the resident physicians only a hundred dollars a year and I leave it to any one, what kind of physicians can you get for one hundred dollars a year, and that was constantly

worrying me and one day I saw two men whom I was under the impression were high grade idiots and I spoke to them and I was told I had offended them very much and I found out they were the doctors. I took the matter up with a very philanthropic lady when she was on the Island and she thought it was a shame and the result was an offer to pay the salaries of physicians for the city and it was made to Commissioner Drummond and accepted very gratefully and the money is sent to me and I pay them and see they justify the trust put upon them and that has enabled me to see more or less what has been going on in the medical boards and I don't think there has been any conscious antagonism on the part of the resident physicians there against either of the two boards but there has been a desire to coöperate.

Q. With the facilities at her disposal do you think Mrs. Dunphy has made a good superintendent? A. I think she is perfectly wonderful.

Mrs. Dunphy's testimony on pages 494 and 495.

Q. They came into the reception hospital and stayed fourteen days; there were seven wards in that reception hospital? A. Yes, eight wards, one an operating room or X-ray room.

Q. Those seven wards, who would decide into which ward the children went? A. The doctor. The doctor decided, the eye cases were in one ward, the skin cases in another.

Q. And under that regime they weren't separated by the days they came in at all? A. No, not by the days.

Q. That is if a child came into Ward 6 which had normal children and had been there five or six days and a case of disease was discovered in six that child would be held there during the period of quarantine? A. It would be, yes.

Q. With the result very often it was held longer than the fourteen day period? A. I don't know; that was for the doctors.

Q. You wouldn't know about that? A. I would if the doctor signed a transfer slip; they never left a ward without a transfer slip signed by the physician in charge.

Q. Wouldn't you have a daily record of how many were in the reception wards? A. Yes.

Q. Didn't that come before you every day? A. Yes.

Q. And every transfer order would come before you A. Yes.

Q. And you would then assign them to another ward? A. They would be assigned by the doctor, not by me.

FOURTH. TESTIMONY WITH RELATION TO THE ALLEGED INSUFFICIENCY OF FOOD

Deputy Commissioner Wright's testimony on pages 18, 19, 22, and 23.

Q. Did you have occasion to look into the question of complaints of infringements of the rules prescribed for feeding? A. Yes.

Q. What are such complaints? A. I can't tell.

Q. Against whom were they made? A. They were against conditions and not individuals.

Q. Can you tell the result of that investigation which you made in part? A. Partially.

Q. Tell us as far as you can, the result. A. Complaint was made that meat for instance was served three times a day in heavy quantities at the Nurses' Home. Orders were given to reduce that. Complaint was made that cereals were being served to children, which they didn't eat and were day by day thrown out. Orders were given to correct these conditions. I don't recall the details; I should have to look up the records.

Q. Did that form of dietetics violate any rule which was in force at the time of complaint? A. There was a certain dietary prescribed for patients.

Q. And was that form of dietetics prescribed violated by giving meat three times a day? A. Yes.

Q. Was there any other ground of criticism which occurred to you in regard to the conduct and administration of the institutions on Randall's Island? A. The feeding system was not satisfactory.

Q. What was the criticism of the feeding question? A. There was very little attention given to what the children would or would not eat. If children cast aside food there seemed to be no basis for readjustment of the food. To give an illustration: Cereals were too little eaten by the children as they were served in the morning. Particularly, as an illustration, corn starch pud-

ing, comparatively little would be eaten. It was discovered that by putting more sugar upon it, it was all eaten and the sugar at the institution hadn't all been ordered or used; apparently had all their supply been ordered or used they would have obviated the children's dislike for this food.

Q. Upon whom would the responsibility for that fact rest? A. Upon the superintendent.

Q. Upon whom would be the responsibility for the intermingling of patients? A. The superintendent.

Q. Outside of this criticism and the question of food what other criticism did you have to make in connection with the management and control of the institutions? A. From personal knowledge, I think of nothing else.

Q. So as the First Deputy of the department with general powers as deputy and large particular powers with reference to this Island your criticism of its management is restricted to these two features? A. So far as personal knowledge is concerned, yes.

Commissioner Kingsbury's testimony on page 115.

Q. There is nothing in any of these specifications representing your personal observation? A. They were not drawn with that in view. There are some things in there that I knew about. For example on two or three occasions I have gone into the dining rooms at breakfast and found half the children sitting at the table without any food.

Q. Wasn't that due to slowness of service? A. No; they don't get it; the explanation was that in the past they had refused it and didn't like it and there was no use in putting it on for them because they didn't eat it.

Q. The cereal? A. Yes.

Q. Only one article? A. The principal article, the cereal.

Q. Who has charge? A. The responsible person for everything in the institution is the superintendent.

Q. The general responsibility for everything in the Department is with the Commissioner? A. Yes.

Q. You knew these things in November last and you took no steps to correct them? A. This happened again and again.

Q. Were you there again and again? A. I was there at least three times.

Dr. Books' testimony on pages 130 and 131.

Q. And you had free access to every building and every part of every building? A. Yes.

Q. Did anybody deny you? A. No.

Q. I would like to ask you whether or not in your judgment the children on Randall's Island appeared to be well nourished?

A. The children are very well nourished on Randall's Island.

Q. I would like to inquire whether or not in your judgment during all this time the children appeared to be happy and contented? A. As a general rule they are very happy.

Q. Do they have that appearance? A. Yes.

Q. With one or two exceptions doctor, isn't it true that the buildings generally are fairly well adapted for the purposes for which they are used? A. Very few of the buildings are suitably adapted for human beings.

Q. Have you been around when the children were being fed? A. Yes, very often.

Q. What did you observe about the amount of food and their partaking of it? A. There always seemed to be as much as they wanted of it, speaking of dinner and supper time; I have never been around at breakfast.

Q. Will the children eat the food set forth before them? A. Most of that class of children eat all that is put before them and as long as it is put before them.

Inspector Park's testimony on page 194.

By Mr. Cotton:

Q. Did you make a general survey of the conditions on Randall's Island? A. I did.

Q. And you took up the various points you would take up in reporting on an institution? A. The same as I would in any institution.

Q. Did you go to the records there to find out about the food used, and did you go to the records and examine the diet? A. I

found the diet as given them on the records was satisfactory and from observation of the meals.

Q. What was the date of this inspection? A. April 17-24.

Dr. Brundage's testimony on pages 235 and 236.

Q. Were you in a position to observe whether the patients or inmates appeared to be well nourished and sufficiently fed? A. I lived with them eighteen months.

Q. Were all given sufficient food? A. Sufficient food and good food.

Q. Were the general conditions satisfactory on the Island during the time you were there in so far as the general administration, supervision and management of children might be concerned? A. I considered they were.

Q. In whose hands was the immediate supervision on the Island at that time, the resident physician? A. Yes.

Q. Who was the resident superintendent? A. Mrs. Dunphy was the resident superintendent at that time.

Q. Did you come in contact with her and her work? A. I saw her every day practically.

Q. Did you consider the way she discharged her duties to be conscientious and complete? A. Decidedly so.

Dr. Cornwell's testimony on page 227.

Q. From your examination of inmates at the times of your numerous visits did they strike you as being well and sufficiently nourished? A. They appeared to me well and sufficiently nourished and I have always made it a point personally to inquire of patients who were sufficiently normal to answer intelligently as to whether they had enough to eat and I have never been told that they did not.

Dr. Bisch's testimony on pages 242b, 243 and 244.

Q. So far as you were able to judge from your visits to the Island and your examinations and inspections there did the inmates appear properly nourished? A. I found them properly nourished. I happened to be a member of the Diet Committee and frequently made rounds in the kitchens with the dietitian and I also frequently saw the patients at their meals and it always seemed to me the food was sufficient in quantity and good in quality also. We had, if we may be allowed to add, as far as diet

was concerned, we always had to contend with the bringing of food on the part of parents; they brought all sorts of candies and food and we believed it was injurious.

Q. What steps did you take to stop that practice? A. It was absolutely forbidden but the rule didn't stop them from doing it. It was just as common as could be after an epileptic child had stuffed itself with bananas it would have a convulsion. The practice continues to the present day.

Q. You say you are on the Committee on Diet? A. Yes, the dietitian on several occasions presented slips to the diet committee.

Q. Which were schedules of proposed foods? A. Yes, what the patients got on a certain date.

Q. Is that passed upon officially by your committee and approved? A. By the Medical Board.

Q. Under whose supervision and authority was the dietitian? A. Really under the Committee on Diet, she and her assistant.

Q. These diet schedules were submitted to your committee and approved by you? A. Yes.

Q. And their sufficiency or insufficiency that rested upon your committee? A. Yes.

Q. And you passed it as sufficient and adequate for the needs of the institution in your opinion? A. Yes.

Dr. Meyer's testimony on page 249.

Q. Did the children and the inmates whom you saw on your visits on your two years' membership strike you as being properly and thoroughly nourished and well fed? A. Some of them I followed up from the date of commitment every time I saw them and some of them marvelously improved so I hardly recognized them as the same children.

Acting Superintendent Flick's testimony on pages 264, 265 and 266.

Q. Was there any medical committee on diets which outlines the form of dietary observance for the inmates? A. There is a committee for special diet but not for the general dietary which is fixed by the department.

Q. Can you tell us wherein these changes consist? A. A better balance in the ration of the inmates is found to be advantageous.

Q. Give us some of the details. What did you do in the way of the changing of the diet in the case of the inmates under thirteen years of age? A. I think that the ration, that is the diet was balanced according to age, a bigger quantity of food to bigger inmates and a smaller quantity to the smaller inmates.

Q. Prior to your coming there had there been no balancing of the diet? A. I don't know.

Q. How do you know your arrangement worked a change? A. On making a visit to different wards I saw it needed changing.

Q. Upon what did you base that conclusion; did you think some of the patients were getting too little food? A. Some of the bigger patients didn't have anything left at all and the little fellows had a big amount to waste and inquiring of the inmates I found out they sent the same weight of food for the little fellows they did for the big ones.

Q. So you changed that by cutting down the rations of the little fellows to the little fellows' size and the little fellows' appetites? A. Yes.

Q. Apart from this change in the amount given to the patients did you change the quality any? A. I changed some articles of diet.

Q. Upon what do you base your action in changing the articles of food? A. In a ward of feeble-minded no person eats fish, it is well not to give fish again because it goes to waste.

Q. You also arranged the articles of food in accordance with the likes of the inmates? A. Yes.

Q. Are they the only dietary changes you made? A. That is the principal one, yes. In fact that is the only one.

Dr. Stechmann's testimony on page 255.

Q. Did you ever have occasion to notice the feeding of the inmates on the Island, the quality and the quantity of the food? A. They were never fed when I was on the Island but afterwards I heard there was a complaint about the food and I asked a good many whether they were satisfied or hungry and they all said they were not hungry but well satisfied.

Q. Did you come to the conclusion they were well nourished and sufficiently well fed? A. I think they were.

Q. How about dietetics; do you think their food was sufficiently varied? A. We established a Committee on Diet, Dr. Cornwell, Dr. Bisch and Dr. Baehr; it was their particular office to see that the dietetics were proper.

Q. Do you know how far their regulations were carried out?

A. I understand they were carried out.

Confidential Inspector Rice's testimony on pages 293, 294, 295 and 296.

Q. Tell us any of the experiences you can which you subsequently reported to the Department as the result of your inspection? A. I reported on a great many things, the method of handling the food supplies to the wards, feeding patients.

Q. Can you give us any details of that? A. Under the last mentioned in several of the wards I noted on various occasions that certain patients did not receive the allowance of food granted the others.

Q. Did you make inquiry as to why there was a variation in the allowance? A. I did, of several orderlies and inmates.

Q. Was there any valid reason assigned to you for this difference in allowance? A. That there simply wasn't enough to go around or that the inmates didn't eat the food anyhow.

Q. Was there any truth in that last statement so far as you saw or knew? A. I frequently saw bowls of cereal which was uneaten by the inmates to whom it was given.

Q. You made inquiry of no one except orderlies or inmates as to the variation of this food allowance? A. No.

Q. Were any complaints ever made to you while an orderly by any inmates that they hadn't received enough food? A. I don't recall them.

Q. Isn't it a fact that you never received any complaints? A. I can't recall any.

Q. Wouldn't you recall it if you had? A. I might.

Q. You recall most of the important happenings on the Island? A. Yes.

Q. And you can recall no instance in which any inmate told you he or she did not receive enough food? A. No sir.

Q. What was the general condition of cleanliness in the various

wards in which you worked as an orderly? A. At times the condition of cleanliness was very bad.

Q. In what respect? A. The physical needs of the inmates were frequently unattended to with the result that faeces and other filth was upon the floors and bedding and so forth.

Q. While you were an orderly in the different wards did you always attend to the needs of the inmates? A. The best I was able.

Q. Was there always a supply of fresh linen for the beds which could be used as needed? A. No sir; I reported several times to the supervising nurse who was my superior.

Q. And on the occasion of these complaints was fresh linen given you? A. No.

Q. What report was made? A. I was told to dry out some of the sheets which had been used and soiled and re-use them.

Q. You didn't make any answer? A. I probably called attention to the uncleanness of it.

Q. What is the name of the supervising nurse who gave you that order? A. I can't recall her name. I may think of it later.

Q. You wouldn't know whether that supervising nurse is still on the Island? A. I do not.

Q. Was any reason assigned for that suggestion that you dry out the sheet and use it again? A. The reason assigned was there wasn't enough fresh sheets.

Dr. Peet's testimony on pages 353 and 354.

Q. Among these specifications or charges which in your letter you declare to be substantially true in your opinion was one that the inmates were given insufficient food; did you of your knowledge ever know any inmates among the children who apparently were not given sufficient food? A. Yes; on my rounds in seeing the food prepared.

Q. When you say insufficient food do you mean that not enough food was given and they asked for more? A. The amount served to them and the quality of the food.

Q. How was knowledge of that fact brought home to you; by a physical inspection of the amount of food and rations served? A. By going through the wards at the time meals were served

and going down into the diet kitchen and breaking eggs and testing the food in that way.

Q. Were the dietetics or dietary prescribed by any member of your board? A. I understood there was but I had nothing to do with that.

Q. You don't know whether that dietary was lived up to or not? A. I don't know.

Dr. Bainbridge's testimony on pages 364 and 365.

Q. You don't know whether any restriction had been placed on other articles of food limiting them to that? A. I had charge of these cases and I knew. As to the quality of the food, at times it has been deplorable. I have gone over there and broken eighteen to twenty eggs at a time and found 50 per cent. absolutely rotten; I took them from different parts of the same Island.

Q. Are these furnished by people who have contracts to supply them? A. I don't know how they are furnished; I know they were furnished to the children to eat; I was trying to build them up for after care.

Q. Did you ever make complaints on that score? A. Yes, repeatedly.

Q. To whom? A. To Mrs. Dunphy and the Commissioner; I made it to Commissioner Keller, Commissioner Folks and then through the Medical Board repeated reports have been sent to Commissioner Drummond and to the other Commissioners.

Q. The supplies that are brought to the Island are furnished through the Purchasing Department of the Island? A. I don't know; we get the medicine and the food and that is given to the children; if it is not up to the standard it is first up to the supervising nurse and then to the superintendent and if we don't get it then it is up to the Commissioner.

Q. What other foods did you find bad? A. Tainted meats, rancid butter, sour bread.

Q. These articles of food whose defective quality you noticed were all purchased outside of the Island and brought over to the Island? A. I don't know.

Dr. Harris' testimony on pages 388, 389 and 395.

Q. Another one of the specifications against the former superintendent had to do with the so-called providing of insufficient

food to the inmates; did you have any personal knowledge of the fact that inmates had not enough to eat? A. I had an inspection one morning with Commissioner Kingsbury and we found nine children at one table that didn't have any cereal served to them. Early in his administration we went over there one morning and we didn't find any oatmeal served.

Q. Was there any reason assigned for that? A. Yes, the reason assigned was that the children had refused it and therefore the attendant had gotten into the habit of not serving it at one table.

Q. Who gave it to you? A. The attendant of that table, a woman attendant.

Q. Did it appear that the superintendent knew of the failure to serve the cereal? A. I don't know.

* * * * *

Q. I would like to inquire if the children impressed you on your visits as being underfed? A. They didn't so impress me.

Q. Didn't they impress you as rather overfed, plump red faces, active and bright? A. The appearance of the children was very good.

Q. Was there a regular dietary prescribed? A. Yes; it was gotten up by a committee of the Medical Board with the departmental dietitian and the dietitian on the Island.

Dr. Stowell's testimony on pages 401 and 402.

Q. Did you have occasion to notice whether the supply of food for the inmates was sufficient in quantity or not? A. Yes; I used to be on the Inspection Committee; I generally thought that there was enough ordered for the Island; for a long period there was such a lack of harmony between the superintendent and the dietitian there were frequent lapses and recriminations, but in the main I should say the children are well cared for and I visited a good many institutions and never saw better looking children than we had on Randall's Island, but these specific complaints used to come up from time to time but probably were no greater than are to be found in any other institution but certainly there was a great lack of co-operation in managing the diet.

Q. Did you have any proof that the children were not properly cleaned or kept clean? A. I think the housekeeping arrangements were good; the general appearances were good.

Q. And so far as furnishing necessary toilet facilities and accessories were concerned you had no proof that they were insufficient? A. Occasionally when inspecting I might find some lack but nothing to mention.

Q. On the whole, so far as food, physical and general cleanliness, the children were up to the average of the children maintained in other institutions? A. For the most part.

Mrs. Hazard's testimony on page 408.

Q. Did any of the children ever strike you as being undernourished or underfed? A. No, indeed.

Max Niklas' testimony on page 423.

Q. During these years of your connection with the Island did you ever go through the dining rooms at mealtimes? A. Yes.

Q. Did you notice food left untasted and untouched by the inmates? A. I saw it left over.

Q. Did you inquire whether the food was left over because of the improper or unappetizing way in which it had been prepared? A. No.

Q. Did you know whether cereals were left unsweetened and they were uneaten but when more sugar was added it was relished? A. I never saw any untouched.

Q. Was any attempt made to balance the diet, to give the patients the forms of food they most liked? A. Yes sir, it has been.

Q. So far as you were able to observe the quality and quantity of the food seemed to be satisfactory to the inmates? A. Quite sufficient in every way.

Mrs. Dunphy's testimony on pages 481 and 482.

Q. Under whose supervision was the regulation of the dietary? A. Under the dietitian who got her instructions from the departmental dietitian.

Q. What do you mean by the departmental dietitian? A. For all the institutions on the Island and the different institutions of the Department of Charities.

Q. Was the food furnished to your inmates such as prescribed by this departmental dietitian? A. It was; I visited frequently to see.

Q. Did you on such visits take any steps to determine the quality and nature of the food furnished to the inmates. A. I have spoken on one or two occasions to the dietitian that I thought the older children should have more substantial food for dinner and not so much stew and soups.

Q. So far as you are able to tell from the general appearance were the inmates well nourished, A. Yes.

Q. Did you on the occasion of any of your visits to the Island observe that the inmates did not touch their food? A. Sometimes they would not eat their cereals.

Q. Did you ever inquire of your dietitian on the Island or anybody on the Island in charge of the kitchen as to the reasons for the inmates not eating their cereals? A. That would be occasionally that an inmate would refuse.

Q. There was no steady refusal of the cereals by an inmate but an occasional refusal? A. Absolutely.

Copy of letter from Dietitian Hallock, pages 508 and 509, placed in evidence by Mrs. Dunphy:

“MRS. M. C. DUNPHY, *Superintendent*:

“MY DEAR MRS. DUNPHY.—In reading the New York Times I see that the Commissioner has brought against you the charge that the children on Randall’s Island were underfed during the past year. As I was dietitian at that time I wish to say that this statement is absolutely untrue.

“Cereal was always served for the children’s breakfast. Of course this did not guarantee its being eaten, but it was always to be had provided the children would eat it.

“It would seem to me that the quality of the food was up to the commissioners as *they* provide the food inspectors — and there was no list of specifications available for those receiving the food supply.

“The quality of the food prepared was the best possible with available material. One would hardly expect hotel fare on the material provided by the Department for the inmates. The food was well cooked and seasoned, at no time were the children obliged to go hungry because of insufficient food supply.

If there was inadequate supervision over the distribution of the food — I would ask the Commissioner to consider that thirty-three (33) ward dining rooms, six employee dining rooms and three (3) kitchens scattered over an area of about a square mile, is considerable ground to be covered by a dietitian, an assistant and pupil just at the time when supervision is most necessary.

“Trusting that these statements may be of some use to you, I am,

“Yours sincerely,

“SARAH H. HALLOCK,

“Dietitian at Randall’s Island — March, 1914 to Jan. 1, 1915.”

FIFTH. TESTIMONY WITH RELATION TO THE ALLEGED FAILURE TO WASH CHILDREN AND TO PROVIDE TOILET PAPER

Deputy Commissioner Wright’s testimony on pages 18, 28 and 29.

Q. The immediate management, the medical treatment, general living conditions, disciplinary treatment of the inmates, so far as their daily routine of life is concerned? A. I have had charge of the medication and supervision of the feeding and would advise with regard to these matters.

* * * * *

Q. Can you recall at this moment any specific instance in any building where you found by personal observation conditions to exist which were contrary to the best care of these children at any time in any building during the past fifteen months? A. I don’t recall specific instances.

Q. You don’t recall any specific instances? A. No.

Q. Mr. Wright, your experience leads you to the conclusion that the feeble-minded are sometimes quite difficult to manage? A. I have had no personal experience, I have had no personal experience in the management of the feeble-minded.

Acting Superintendent Flick’s testimony on pages 275 and 276.

Q. Do you personally look after or cause to be looked after the looking after or regulation of washing children before breakfast?

A. That would be a physical impossibility to see to it, but I see once in a while that the rule is enforced.

Q. How do you see to it? A. By visiting all the wards every once in a while. There are about fifty-nine wards.

Q. It is quite obvious you could not visit them all before breakfast on any one morning? A. Yes.

Q. How many inmates on the Island have you at present? A. 2,049.

Q. Do you think you have sufficient facilities properly for caring for so many children? A. I think the children are pretty well cared for.

Q. Do you think in the way of space you have proper accommodation for the children or do you think it is over-crowded? A. It is not ideal but it is sufficient.

Dr. Carlos F. MacDonald's testimony on pages 304 and 305.

Q. Doctor, do you remember approximately the time of that visit? A. Yes, sir, June 16, 1914.

Q. On that occasion did you make a thorough inspection of that part of the Island devoted to the atypical children? A. I made what I regarded a thorough inspection as much as I was able.

Q. Did you direct that inspection to any particular feature of the hospitals there or to general conditions? A. It was limited to that part of the hospitals devoted to mental defectives and I made a general inspection covering—I have my notes of inspection here with me, I think; yes, I have a copy of my notes of inspection dated June 16, 1914. The inspection included an examination of the kitchens, dining rooms, workshops, school rooms and hospital wards. The institution was in a condition of cleanliness and good order, especially so in view of the antiquated and dilapidated character of the buildings. The buildings are old and unsuited for the purpose. The buildings which I examined, the rooms and so forth, were in a very good state of order as to cleanliness. The inmates were neat and tidy in appearance as a rule and gave every indication of being well and carefully taken care of. The food supplies were good in quality and sufficient in quantity. The hospital wards were in a cleanly and orderly state and the patients there as regards clothing, bedding, dietary, nursing and medical care impressed me as being well and carefully attended to. My visit was made without previous notice to the superin-

tendent who accompanied me on my tour of inspection. Dr. Cornwell went over there and was with me a part of the time I was there.

Dr. Bainbridge's testimony on pages 366, 367 and 371.

Q. That gentleman is no longer connected with the department as secretary? A. I think he is. The practice of washing children before breakfast was habitually disregarded; that was so much in view in the past I signed it believing it to be true. I haven't seen it in the last year or two. But it was so, when they got washed at all. Specification second, number A, that children with infectious diseases were permitted to eat in the same dining room with the others; that is so.

Q. How long has that condition prevailed? A. Since I was appointed to the Island; at times it would be better, especially after inspection.

Q. More recently, within the last year and a half? A. Yes; that has been better.

* * * * *

Q. When was all this? A. 1899 to 1902; I am speaking of these times because they are parallel to the particular charges brought at this time.

Q. Were these charges made against Mrs. Dunphy at that time? A. In the first place against these seventy attaches and employees on the Island and in every instance she defended them. After, however, Mr. Folks went out a good many were quietly brought back to the Island.

Q. Commissioner Folks didn't remove her? A. No.

Mrs. Dunphy's testimony on page 510.

Q. Do you know whether children were washed before breakfast? A. Yes; because I have gone there as early as five o'clock in the morning occasionally.

Q. Any affidavits to the contrary notwithstanding? A. Any affidavits to the contrary notwithstanding and I have seen the children, and it was the duty of the night nurse to see that the children were washed; their hands were always washed after breakfast also.

SIXTH. TESTIMONY WITH RELATION TO ALLEGED FAILURE TO SEPARATE THE FEEBLE-MINDED FROM THE MENTALLY NORMAL CHILDREN

Inspector Park's testimony on page 196.

Q. Did mentally normal children mingle and have contact with the low grade mental defectives on the Island? A. Not low grade. You would see a group of children playing together and it would be hard to say whether they were normal or border line cases.

Dr. Cornwell's testimony on page 229.

Q. Was there so far as you know a complete separation of the typical from the atypical inmates? A. As far as I know there was in so far as it was possible under the conditions; we had a band on the Island; it had atypical as well as typical inmates in it.

Q. To what extent, limited or otherwise, was intercommunication between the typical and the atypical permitted? A. To a limited extent. I don't think they came together much. They had separate houses and facilities.

Reference is also made to Dr. Schlapp's testimony on page 70.

SEVENTH. TESTIMONY WITH RELATION TO THE ALLEGED USE BY EMPLOYEES OF THE CLOTHING OF INMATES

Mrs. Dunphy's testimony on pages 483 and 484.

Q. Did you ever see or discover any inmates — any attendants on the Island appropriating any wearing apparel of the inmates? A. I never saw them; it was reported to me that some of the men had appropriated some clothes belonging to the inmates and I investigated it and had an order posted up in the dining rooms that any employee found wearing any of the inmates' clothes would be immediately recommended for dismissal.

Q. Did you actually discover that clothing had been taken by the orderlies or other employees? A. No; it was reported to me by the steward.

Q. Weren't you able to verify the report? A. I took his word for it; I didn't see it myself.

EIGHTH. TESTIMONY WITH RELATION TO THE ALLEGED FAILURE TO SAFE-GUARD INMATES FROM FIRE AND VIOLATION OF RULES BY WATCHMEN, THROUGH FAILURE TO MAKE THEIR REQUIRED ROUNDS

Deputy Commissioner Wright's testimony on page 16b.

Q. Are you equipped with proper means of egress in case of fire or other emergency? A. Some are not; part are already put in such condition.

Q. What means are being taken to put them in this condition? A. In the main cross section fire walls are brought through the building so as to be able to push the patients through from one section into another section and large rollers are put in so beds can be pushed through into another section.

Q. Are these buildings equipped with ready means of escape in case of fire other than these fire proof cross section walls? A. Practically all of them have the Kirker-Bender fire escapes and most of the others have balconies with stairs.

Dr. Books' testimony on page 131.

Q. What building did you refer to as being bad? A. The one for the low grade male patients, idiots.

Q. Tell us what is the matter with it? A. It is not sanitary; it is not hygienic; it is a firetrap.

Q. That condition has existed since the present administration of city charities? A. The building was put up in 1830 I think.

Dr. Bainbridge's testimony on page 368.

Q. I understand your answer to be that in your sixteen years of connection with the Island you never have seen a fire drill; you wouldn't go so far as to say none had been made in that period? A. I have not; certainly not; I have known of none.

Q. Did you ever ask the superintendent for the date of the fire drill? A. I didn't ask for the date but it looked strange that we didn't have any and when I remarked it she always said you didn't happen to be there just at the time. That the night watchman violated the rules of the Department, that is true.

Q. How long did that evil continue to exist? A. Off and on for sixteen years.

Q. So far as that particular defect is concerned do you know whether it continues on the Island? A. I don't know personally; it was true the early part and last of 1913. I haven't been up there at night lately but for many years that was true.

Dr. Harris' testimony on page 390.

Q. Had you any knowledge of whether proper precautions were taken to adopt fire drills and proper regulations for fire protection? A. No, I don't know about that.

Q. So that as to most of the specifications contained in the charges against the former superintendent you had no personal knowledge? A. That is right.

Max Niklas' testimony on pages 421 and 422.

Q. During your years on the Island, since 1903, were the fire drills regularly had? A. Every week.

Q. Under whose supervision? A. Under the Chief Engineer, Mr. Sargent, and then the National Fire Protection Company had weekly events.

Mrs. Dunphy's testimony on pages 484 and 485.

Q. Did you hold fire drills or cause fire drills to be held on the Island? A. Regularly every week.

Q. Under whose supervision? A. Under Mr. Ross.

Q. Who was he? A. He was some man engaged by the Commissioner.

Q. For the purpose of supervising the fire drills? A. For the purpose of supervising the fire drills. Then by the Croker Fire Department; previous to that time we held it under Mr. Sargent, fifteen years.

Q. How often? A. Once a week.

Q. During all the years of your superintendency? A. They were always held.

Q. Do your records show they were held regularly during the period of your superintendency? A. Until the first of January, 1915, and then they were discontinued by the company but I was never notified they were discontinued. The Croker Fire Drill record is kept by the company and they simply report to us by letter.

THE EDUCATIONAL WORK OF THE INSTITUTIONS

Commissioner John A. Kingsbury's testimony on pages 147, 148 and 149.

Q. Who makes appointments of teachers? A. The Commissioner of Charities on the recommendation of the educational authorities.

Q. Must the teachers in that school hold the same grade certificate and credentials as those appointed to the regular school system of the city? A. I think they are supposed to; I don't recall just what the requirements are.

Q. How long has that been the rule? A. May have been before 1902, the charter makes some stipulation in regard to that — the educational authorities for some reason or other I understand have not been able to get certified teachers to go there but have been obliged to take what they could get; it doesn't apply to those there before 1903, or 1902.

Q. Do you think yourself qualified to pass upon the merits of the school? A. I do.

Q. Is it up to par in your opinion? A. I have not made a personal inspection of it closely enough to pass any opinion upon it. What I have seen and has been reported there are conditions that would lead me to believe it is not.

Q. Did you delegate the power of supervising that teaching staff to any subordinates in your department? A. Not except in a general way; the inspector checked up the attendance at the school and if I recall correctly the reports may show that the children were frequently rotated in the classes and education didn't extend to a considerable number.

Q. Isn't it a fact that visits are made by the Board of Education? A. I presume so.

Q. Do you receive copies of the reports? A. Never.

Q. Have you made inquiry as to the existence of such reports? A. No.

Q. Have you spoken with anybody with reference to this school? A. Yes; Miss Farrell.

Q. Who is Miss Farrell? A. She had charge of the education of the atypical children in the schools, the backward children; I

have talked with her and as a matter of fact she is to make a study of the work for me now or is rather making a report.

Q. Has she indicated yet what she considers the conditions of the teaching corps over there? A. In a general way from what she has said to me it would indicate she considered it very weak and inadequate. I would be glad to furnish you with Miss Farrell's report.

Mrs. Hazard's testimony on page 411.

By Mr. Cotton:

Q. Do you wish to give the impression that the teaching on Randall's Island has been admirable teaching and the teachers efficient in the work? A. Decidedly.

Q. Have you had occasion to be on the Island since the 8th of March? A. Yes, frequently.

Miss Johnson's testimony on pages 424, 425, 426 and 427.

Q. Miss Johnson, you are a member of the New York City Visiting Committee of the State Charities Aid Association? A. I am.

Q. As a part of your Committee work did you make any visits to Randall's Island in the last two years? A. I have made only three visits in the last two years.

Q. Prior to the last two years had you made visits to Randall's Island? A. I think on the average of ten a year in the preceding five years that would be like it.

Q. So you made for the five years prior to 1914 fifty visits and in the years 1914 and 1915 you made three visits? A. I was out of the country.

Q. Were those visits directed to any particular feature of institutional work on Randall's Island? A. I began by visiting the children, in the crippled wards and became very much interested in their occupation because of the apparent absolute idleness in which they spent their time in the wards. I was then interested in the schools and came to the conclusion that the schooling was inadequate and then I became interested in the feeble-minded children and so my interest became general in the wards.

Q. As a result of your visits and what you observed are you prepared to give an opinion as to the adequacy or inadequacy, the sufficiency or insufficiency of the school system and its results on Randall's Island? A. It seemed to me inadequate and done by unskilled people as a rule, and the subjects not well chosen, not carefully chosen handwork and not enough, not sufficient to keep them occupied; many could not progress very far but could be taught simple things, but those simple things were not taught to children of the lower grades as they are in other places; the children of the lower grades who didn't respond quickly were not taught at all and some buildings which could be used for training were not so used; the gymnasium was used only for band practice when I went there first; now, I believe, some very good work is done there, but there seems to be that attitude with the lower grade children; they do not train quickly and the training was given to those where the response would be made quickly.

Q. Were these children in the classes you observed feeble-minded or normal? A. At first normal children in the public school.

Q. In the normal schools the response was fairly satisfactory? A. In any case the teaching was not adequate.

Q. Are you positive and state of your own knowledge that the appointment of teachers is made by the Superintendent on the Island? A. I am not positive.

Q. Suppose it is shown that the appointments are made by the Commissioner would you lay the blame for the unsatisfactory condition of the teaching staff at the Commissioner's door? A. I think I should lay most of the blame at the door of the supervising officer.

Q. Who appointed these teachers? A. So far as I know, by the superintendent, and later they had to have a certain license or recognition from the Board of Education.

Q. Was this requirement for a license in effect when you first visited the Island? A. I think so.

Q. So these teachers bear recommendations in some certified form from the Board of Education? A. No; because many teachers have been there many years before that.

Q. Have you done any personal educational work? A. I have

done tutoring and taught in a private school and I have been a salaried school teacher before coming to New York.

Q. Did you ever inquire whether the appointments of these teachers proceeded from the Commissioner of the Department himself? A. No; I don't remember.

James Lee, M. D., Superintendent of Schools, Board of Education, New York City; excerpts from letter and copy of official reports submitted in evidence, page 431.

June 8, 1915.

"I could not add anything to the reports which I made on my examination of the schools under the supervision of Mrs. Dunphy. These reports are on file in the office of the City Superintendent of Schools. These reports show every evidence of superior supervision on her part. I made very thorough examinations of every class in the schools, saw the industrial work and have only words of commendation of the work which she did. During every visit every possible courtesy was shown by her in the examination and inspections."

"Yours very truly,

(Signed)

"JAMES LEE, M. D.,
"District Superintendent of Schools."

The following are copies of the reports referred to by District Superintendent Lee, together with a copy of a report by Principal Kornmann:

"May 1, 1912.

"GENERAL.

"Excellent skill and judgment shown by the superintendent in discovering individual capabilities and cultivating the same and wherever concentration can be applied, it is fully utilized. The practical and communal work is carried out to the highest degree. In every possible case where the ability of the inmates will permit the supplies and repairs for the entire department are made. Domestic and industrial work a strong feature throughout. Economy is practically shown in utilizing discarded pieces of property, the work in this

regard being continued as was noted in my previous report. The close, careful and sympathetic interest of the superintendent and her assistants deserve special commendation. I can add little to what I have already stated in my last report. I would like, however, to emphasize particularly the neatness and cleanliness of the children, the various rooms; in fact, everything connected with the surroundings of the children and other inmates. Every courtesy was shown by the superintendent to give me full opportunity to inspect, examine and pass upon the work of herself and her assistants. The management and results obtained throughout are entirely satisfactory.

“ JAMES LEE,
“ District Superintendent of Public Schools.”

“ September 16, 1913.

“ GENERAL.

“ The work in the School for Feeble-Minded is well diversified, the physical side and handwork being well planned and executed. A band organized from the inmates plays for physical exercises. Here as in all classes examined much individual attention must be and is freely given. A new and well constructed building has been erected for the Industrial Department. The improvement has added much to the comfort and the facilities of the institution. The products of this school are used by the people and in various other divisions of the Department of Charities. Last year over 83,000 pieces were made for the inmates, 33,000 being garments for boys and girls, the balance bedding, sheets, shoes, mats, baskets and other useful articles too numerous to mention. Many articles repaired by classes in indicated industries. Twenty carpenters alone could be employed to do the work accomplished by the inmates. Every courtesy and opportunity to see and examine the details of the work of this institution were extended to me.

“ The teachers with a single exception showed hearty interest in the difficult and uninviting work. To succeed really requires the missionary spirit. Suggestions looking toward improvement in methods were generally adopted.

“ The Superintendent, Mrs. Dunphy, is mistress of every detail of the work. It requires a master mind such as she possesses to direct the varied work of such an institution. Vigilance day and night on her part is required. Her influence is seen throughout.”

From Principal Kornmann:

“ DEPARTMENT OF EDUCATION,
“ OFFICE OF THE PRINCIPAL OF PUBLIC SCHOOL No. 12,
“ BOROUGH OF MANHATTAN,

“ *March 25, 1914.*

“ DR. WILLIAM H. MAXWELL, *City Superintendent of Schools:*

“ DEAR SIR.— I beg to submit the following report on my visit to Randall’s Island on March 13, 1913.

“ Mrs. Dunphy, the superintendent, was most kind and courteous and gave generously of her time that we might see as much as possible of all the various aspects of the work.

“ The institution is remarkably well organized and the air of physical well being and content, manifested by the children, is striking, as is also the quiet orderliness and spirit of work which is evidently the result of a firm but kind discipline.

“ In the classrooms, we found the children so graded and grouped, that each was being developed along the lines, and as far as his particular mental equipment warranted. There was naturally much emphasis upon manual work.

“ The Industrial School is especially interesting, for here the feeble-minded children are trained under competent teachers to do, and to do well, all sorts of useful manual work. The cobbling, tailoring, chair caning, carpentering, garment making, embroidering, etc., done here would be very creditable to normal individuals.

“ Content through useful occupation suited to the individual capacity of each person seems to be the keynote of the institution. Even the crippled and hopelessly deformed look happy over the embroidery or other handwork they do under the supervision of a crippled girl, who came as a patient to the institution, and has been trained there.

“ Everywhere in the school rooms, dining-rooms, dormitories, lavatories, hospital wards, a spotless cleanliness greets the eye — all the result of the labor of the pupils trying to outdo each other in a spirit of friendly rivalry.

“ But it is not all work — there is plenty of wholesome play, too. There is a fine gymnasium where games are played and marching and exercising done to the music of a brass band composed of the pupils; and the girls execute folk and modern dances beautifully. Out doors play grounds, ball grounds, etc., are also provided.

“ Altogether, I was delighted with what I saw, and feel that Mrs. Dunphy is to be heartily congratulated upon the splendid results of her efforts, and that the children ailing in

mind or body, who find an asylum under her competent management are fortunate.

“ We spent some time in the House of Refuge, visiting the class-rooms, dormitories, dining-rooms, shops, etc., and seeing the military drill and setting-up exercises on the parade ground which were wonderfully well done.

“ Respectfully submitted,
 “ (Signed) ELISE N. KORNMANN,
“ *Prin.*”

From District Superintendent Lee:

“ GENERAL

“ The work throughout the various schools is well planned and each individual is placed where the best can be done for him, mentally and physically. Inside and outside work is so arranged that there is ample diversity and an opportunity to build up whatever is best in the boys and girls in this institution. Various industries are better housed than at my last visit. The Superintendent has shown remarkable executive ability in arranging the program and unifying the work in every department. Since my last visit I am pleased to report a strong attempt to utilize free muscular movement in writing; group work is a feature throughout; special efforts have been made in sense training and articulation; girls are taught cooking; music has been utilized in the effort to elevate the unfortunates; physical exercises throughout are spirited and fruitful in their results. A reference to the report of the Industrial School, December 31, 1913, shows remarkable results in the various departments, ideal application of vocational work as many of the articles made and prepared are used in the wards, school, halls and for miscellaneous purposes.

“ The teachers throughout show interest in their work which is indeed very trying and which requires peculiar ability because of the character of children committed to their care.

“ Mrs. Dunphy has a thorough knowledge of the conditions and adopts every possible suggestion looking towards the betterment of methods of instruction and discipline.

“ A large section of ground has been set aside through Mrs. Dunphy's efforts for garden purposes. Each pupil has an oppor-

tunity to cultivate a portion of the ground. This adds to the attractiveness of the place and gives much pleasure to the children who take part.

“The law referring to sectarian instruction seems to have been satisfactorily observed.

(Signed) JAMES LEE, M. D.,

“*District Superintendent of Public Schools.*

“New York, June 30, 1914.”

THE SERIOUS EVILS AT THE CITY INSTITUTIONS ON RANDALL'S ISLAND

That some serious evils have long existed at the New York City Hospitals and Schools at Randall's Island is a fact within the knowledge of this Board. The two most serious evils are the employment of unfit persons as hospital helpers or attendants and the congestion of population which exists in parts of the institution. Both of these evils have in recent years been aggravated by the presence of a considerable number of mentally defective delinquents for whose care these institutions are neither intended nor equipped.

Year after year the State Board of Charities has brought these conditions to the attention of the New York City authorities through the medium of its annual reports to the Legislature as well as in the special reports following the visits and inquiries of the Board's Inspectors.

FROM THE STATE BOARD'S REPORT FOR 1913

With relation to these evils the State Board's report transmitted to the Legislature on March 16, 1914, made the following statement:

“At the Children's Hospitals, Asylums and Schools at Randall's Island, which have for years been wonderfully well conducted, despite great disadvantages in the way of inadequate facilities and poor help, reforms by which the extension of facilities and more and better paid help can be secured are greatly needed.

“There is probably in the whole city of New York no site which is more salubrious or more generally accessible for the

care of sick children than Randall's Island. Within almost a stone's throw of the Boroughs of Manhattan, the Bronx and Queens, where the bulk of New York City's population will shortly be, and far removed from the care of the adult poor of the city, it enjoys unusual advantages for the care of sick children. It has been for years such an elementary principle of poor-law reform that children should not be brought into contact with the adult poor, that the suggestion recently advanced that a great children's hospital should be constructed on Blackwell's Island in close proximity to the City Home or almshouse, can hardly be taken seriously. The same view must also be taken of the recommendation that periodical drinkers should be retained in the hospital helper service because the city has no suitable place wherein to confine drunkards at present, and of the further suggestion that it would serve no useful purpose to give better compensation to the hospital helpers than the present low wages which are greatly below the prevailing rates. This is particularly true with relation to Randall's Island where over nineteen hundred young children are cared for, and where the presence of intemperate men and women employees is highly undesirable. The pay roll of this branch of the service does not seem at all to bear out the assertion that the changes in the lower grades of the service have been but a little more frequent than those in the better paying grades, and this is no doubt true of other branches of the work. This is shown by the following table of statistics for the year 1913:

“TABLES SHOWING CHANGES IN HOSPITAL HELPERS AT THE
NEW YORK CITY CHILDREN'S HOSPITALS AND SCHOOLS,
RANDALL'S ISLAND, NEW YORK, DURING THE YEAR 1913

Both Sexes

ANNUAL COMPENSATION	Total employed	Number of changes	Per cent of change	Per cent of total number employed	Per cent of total change
\$120.....	91	379	416	23.7	36.9
150.....	136	428	314	35.4	41.7
180.....	16	52	325	4.1	5.1
216.....	8	3	37	2.1	.3
240.....	71	114	160	18.5	11.
264.....	1			.3	
300.....	35	21	60	9.1	2.
360.....	8	13	162	2.1	1.3
420.....	7	10	143	1.8	1.
480.....	9	7	77	2.4	.7
600.....	2			.5	
Totals.....	384	1,027	267	100	100

“ There is no doubt but that with increased means a better and more discriminating service could be introduced throughout the entire public charitable work of the city, which would tend to weed out and repress the imposition of would-be beneficiaries of the system, but there is nothing that will ever take the place of the expenditure of the means necessary to extend the facilities of the institutions, and to fill the places with a more satisfactory and in the end more economical class of employees, than the present graduates of the city’s public charitable and correctional institutions.”

FROM THE STATE BOARD’S REPORT FOR 1914

The State Board’s report transmitted to the Legislature February 15, 1915, contained the following statement on this subject:

“ The principal needs of the public charitable institutions of the city are now and have been for many years greatly enlarged facilities for the care of inmates and better compensation for employees in the lower grades of the service. Little has been done during the year to improve the pay of the hospital helpers in order that a better grade of employees may be secured. While some changes have been made in rates of compensation, especially in the higher grades, the proportion of those receiving inadequate compensation remains practically the same. This condition is most serious in the New York City Children’s Hospitals and Schools, Randall’s Island, the Metropolitan Hospital, Blackwell’s Island, and the City Hospital, Blackwell’s Island, because in these institutions poorly paid helpers of a low grade are numerous and are in some instances charged with important responsibilities including the care of children. A reasonable minimum compensation for hospital helpers should be at least \$20 a month for men and \$15 a month for women. Assuming this basis we find that, at the three institutions named, more than 65 per cent. of the men and nearly 50 per cent. of the women hospital helpers are receiving less than this minimum. At Randall’s Island 65 per cent. of the male hospital helpers receive the very low wages of \$10 a month. Not only does this low rate of compensation prevent the employment of persons having qualifications desired, but the frequent changes interfere greatly with the efficiency of the service. That the number of changes corresponds in a general way to the smallness of the wages paid is shown by the following table:

“TABLE SHOWING CHANGES IN HOSPITAL HELPERS AT THE NEW YORK CITY CHILDREN’S HOSPITALS AND SCHOOLS, RANDALL’S ISLAND, NEW YORK, DURING THE YEAR 1914

ANNUAL COMPENSATION	Total employed	Number of changes in each grade	Per cent of change	Per cent in each grade of total number employed	Per cent of total change by grades
\$120, men only.....	91	322	353.8	23.7	34.8
150, women only.....	138	416	301.4	36.	45.
180, men and women.....	16	63	393.7	4.2	6.8
216, women only.....	8	2	25	2.1	.2
240, men and women.....	69	82	118.8	18.	8.9
264, women only.....	1	0	0.	.2	0.
300, men and women.....	30	14	46.6	7.8	1.5
360, men and women.....	10	8	80	2.6	0.9
420, men and women.....	5	8	160	1.3	0.9
480, men and women.....	14	9	64.3	3.6	1.
600, men only.....	2	0	0.	.5	0.
Totals.....	384	924	240.6	100	100

Inspector Dinwiddie's testimony on pages 8, 9 and 10.

Q. What was the lowest grade of salary received? A. One hundred and twenty dollars per year.

Q. To whom was that salary paid? A. As I recollect it was paid to night watches, men who had comparatively no responsibility but to see that things were kept quiet at night and to stay in the wards where the boys were sleeping.

Q. Did they have to go through the wards and watch the inmates at night? A. The only people who went through the wards at night were the \$600 trained nurses.

Q. How many nurses are there to a ward of that class? A. There were two supervising nurses to cover the rounds at various periods during the night. I think the period was an hour apart. They are supposed to make rounds through every building where the children were.

Q. Did you as a general inspector of the Department make inquiry of the total number of employees who received \$120 per year as their wage? A. I had that statement before me. I can't say offhand just how many there were.

Q. The report that was made to us as to conditions on the 30th of September showed that there were ninety-one of them. From your investigation of conditions on the Island, do you believe that you can get competent help at \$120 per year? A. Not responsible people.

Q. For positions that were filled by people who received that salary? A. Not usually.

Q. In the cases in which it is claimed that inmates of the Island had been brutally or inhumanely treated, did the charges generally run against the lower salaried employees? A. No. Most of the charges, I think, were not against any one individual or against the \$480 men.

Q. What, if anything, do you know has been done to remedy the conditions of employment on the Island so as to secure a better class of help? A. An effort has been made to raise the general average of salaries. The living quarters have been improved somewhat and encouragement has been given to the deserving men that they will be, as they show capacity for responsibility and disposition for kindly care of the inmates, they would be given an opportunity to advance themselves.

Q. Did you make inquiry at the time you made the investigation as to where these \$120 employees were obtained? Where did they come from? A. They apply at the institution, many of them. Some of them are employees that had been there and come back again, and, I think that covers the major part of them.

Q. Are references exacted from them or are their antecedents looked into before giving them employment? A. My impression in one particular case that I had in mind was that there was not a very careful examination made.

Q. As a matter of fact, isn't it true that in many instances these \$120 employees were procured from the Municipal Lodging House? A. Not to my knowledge. I know they get some unpaid help that goes up from the Municipal Lodging House. They work upon the grounds of the institution. It might be possible that after a certain period of service there might be found some deserving men among them.

Q. Do you know how far the number of employees on the Island has been reduced? A. I have been told that about fifty or sixty less in number.

Q. Have any stations that require to be guarded been left unguarded by virtue of this reduction in the number of employees? A. Not to my knowledge.

Deputy Commissioner Wright's testimony on pages 29 and 31.

Q. You have in employ there, under this article of care and management, a number of what you would call attendants, do you not, male and female? A. Yes, both.

Q. About how many do you recall? A. I know the general number all told in the institution, I can't tell the number of ordinary attendants.

Q. Two or three hundred? A. Oh, no, not that number of attendants.

Q. Is there a hundred? A. I should want to look at the records; there are approximately 350 hospital helpers; they attend to a variety of work besides that of attendants.

* * * * *

Q. Has it occurred to you during the past fifteen months that that was a weak spot in the conduct and care of children at Randall's Island, the insufficient appropriations to pay the help for the care of the children? A. Yes.

Q. If a larger appropriation was made a better wage would be paid to the men and women who come immediately in contact with the children, and that would raise the standard, would it not? A. Decidedly.

Q. You have considered that as a serious question? A. Yes.

Commissioner Kingsbury's testimony on pages 102, 103, 105, 111, 137 and 138.

Q. You have undoubtedly noticed that the employment of this cheap labor was also a serious defect, did you not? A. Yes, and that is not all the answer; I noticed the employment of more low paid people than was necessary was a serious defect instead of paying fewer people more money.

Q. The employment of persons at \$120 a year was a serious defect, was it not, and one that was not for the best interests of the institution? A. Certainly.

Q. And of course you became aware of the very many changes in that employment, sometimes 200 a month of discharges and dismissals for intoxication. You became aware of that, I suppose? A. I did.

Q. The report of the State Board of Charities for 1913 to the State Legislature, and of course I suppose you have a copy, reported that there were 379 changes in the persons employed at \$120 a year and 428 changes in the persons employed at \$150 a year; did the fact that there was such a tremendous rate of changes appeal to you as showing there was something wrong about that condition? A. Certainly.

Q. What was done, if anything, to remedy that? A. A letter was sent to the superintendent very early in the year, all the superintendents, calling attention to the results of inquiries of the Committee on Hospitals of the Board of Estimate and Apportionment in which there had been a careful study of hospital helpers made and for which recommendations had been made for gradually improving that condition. The superintendents were advised to get their employees on the basis where they could be liable to promotion and use fewer employees and pay them better.

* * * * *

Q. Do you or do you not know, Mr. Kingsbury, for several years last past, the State Board of Charities have recommended strongly several improvements at Randall's Island, consisting first of good sleeping accommodations for helpers and the employment of a better class of helpers and the payment of better wages and screens for all the buildings for flies; do you recall that we have recommended that? A. I think I recall all those recommendations.

Q. And if I am correctly informed that seems to be a complaint of the near past as far as your office is concerned. A. I don't understand you.

Q. I think Mr. Dinwiddie testified that was one of the serious things over there that they had discovered by his investigation. A. I don't know as anybody has reported that as a discovery; I think everyone of us knew that.

* * * * *

Q. Each ward or separate building is in charge of a head nurse? A. Yes.

Q. How many head nurses have you there? A. I can't tell.

Q. Do you think thirteen head nurses could adequately bring

themselves into contact personally with two thousand inmates?
A. No.

Q. Then it had to fall to the lot of many lower salaried employees to come into personal contact with the inmates? A. Yes; they aren't all low.

Q. Do you know what percentage are low paid employees?
A. A large percentage.

Q. A large percentage does come into constant physical contact and immediate touch with these patients? A. I am not trying to indicate that you could get ideal conditions there.

* * * * *

Q. You have stated that one of the real defects in connection with the conduct of the institutions on Randall's Island was the absolute callousness with relation to real child welfare. Will you kindly define what you mean by absolute callousness with relation to real child welfare? A. By not taking care of the children as they are taken care of at such institutions as the New York Orphan Asylum, the Hebrew Sheltering Guardian Society and other institutions, conditions which approach as nearly as possible home conditions.

Q. In what way do conditions on Randall's Island differ from conditions which in your opinion ought to prevail. A. The conditions which prevail on Randall's Island as I have seen them and as I have judged them from reports, disregard the individual child in the main and treat the children rather as a whole without any regard to individuality.

Q. In the institutions to which you have just made reference as showing conditions superior to those on Randall's Island, what is the number of patients contained in each of these asylums? A. I couldn't say; very much less than on Randall's Island, of course.

Q. Isn't it true that the supervising staff of nurses, orderlies and attendants is proportionately better able to take care of the inmates than on Randall's Island? A. I think that is true.

Q. Do you happen to know what salaries are paid to the orderlies and the lower grade of help at those institutions? A. I do not.

Q. When you speak of humane conditions in regard to the

care of atypical cases tell us what conditions you would impose, what conditions of care and supervision on those in charge? A. I am not an expert in the supervision of institutions of that kind; I should not attempt to do that. My job is to get the kind of man who knows what to do there.

Inspector Ford's testimony on pages 182 and 183.

Q. When did you visit the Island last? A. May 15th.

Q. What was the purpose of your last visit to the Island? A. To examine the number, and wages paid to hospital helpers.

Q. What was the result of that last study? A. I ascertained the number of hospital helpers had been somewhat decreased and the number of hospital helpers receiving very low wages had been decreased; the average wage was somewhat higher than at the preceding visit.

Q. You considered that a step in advance? A. Yes.

Q. You have discovered practically from the first visit in 1914 to the present time there has been a betterment in the wage situation and some improvement in the physical conditions of the buildings and some compliance with the recommendations for plumbing and paint work and some interior repair work? A. Yes.

Dr. Schlapp's testimony on page 207.

Q. Is the number of attendants and nurses and attention given the inmates sufficient? A. Personally I believe there ought to be more attendants and nurses to help there.

Q. Did you come in contact frequently with the attendants on duty? A. I did.

Q. What did you think of the grade and general average of value of service? A. I thought many of them were not able to do the work properly.

Q. Do you know what wages these ward attendants received? A. I have heard what wages these ward attendants received.

Q. From what source did your information come? A. I do not know now.

Q. Were they authentic and correct? A. I didn't investigate.

Q. What did you hear? A. Some received \$10 a month and I

also heard that some of them working there received no salary at all.

Q. Were you under the impression that some of the orderlies who received no salary were working in wards and came in contact with the inmates? A. No; I think they were doing work on the Island.

Q. Do you think proper hospital service can be obtained from orderlies receiving as low as \$10 a month? A. I do not.

Q. Do you think a better service could be obtained there by having fewer attendants at a higher priced wage? A. I think so, but the number of attendants is too small now.

Q. So if you got a better grade of attendants and gave them more money you still would need more than you have now? A. To do the work properly.

Dr. Stechmann's testimony on pages 255 and 256.

Q. Did you notice the class of help in the wards and pavilions? A. Yes we didn't like the class of help there.

Q. What was the ground of your dislike? A. It takes a good deal of patience to get along with patients who are normal mentally and to get along with abnormal children it takes extraordinary patience. The average nurse who gets \$25 a week is apt to get impatient and a person that gets \$10 a month certainly is more apt. The atypical child should have better class of help.

Q. How do you come to name a salary of \$10 a month? A. I was told that was sometimes paid the attendants and orderlies and servants.

Q. You have no hesitancy in saying that is too low a wage at which to secure competent help? A. No; it certainly is too low.

Q. Were there enough attendants and orderlies to take care of all the inmates, apart from their salary? A. No; there should be more nurses; we wanted to establish a lecture course and we had the nurses called to the lecture, there was a lot of trouble because there weren't enough people to take care of the work.

Acting Superintendent Flick's testimony on pages 260, 268, 269 and 270.

Q. What percentage of the orderlies were of this ten dollar a month class? A. Seventy-five per cent. more or less.

Q. How many less? A. The large majority; I can't say exactly.

Q. More than half, Mr. Flick? A. Yes.

Q. And these were people who came in immediate physical contact with the inmates, were they not? A. They were attendants, yes, sir.

Q. You came to the conclusion that these people were of a grade not to be relied upon for this kind of work? A. No, I didn't come to that conclusion; I knew it before.

Q. You were of that opinion, Mr. Flick, before you came to the Island? A. Yes, sir.

Q. What change, if any, have you made towards weeding out these underpaid and incompetent men and supplanting them with higher paid help? A. I paid some \$15, \$20, \$30, \$40 and \$45.

Q. How many of these \$10 people have you gotten rid of since you came to the Island? A. I suppose four or five are left but salary is increased.

Q. Out of how many? A. Taking care of the children? Fifty-two.

Q. You have gotten rid of practically all of these underpaid undesirable help and replaced them with a better class of people? A. Yes.

Q. Do you find the service rendered by the newer employees is more satisfactory and produces a better result? A. Some of them.

Q. Not all? A. I am obliged to make quite a number of changes there now.

Dr. Carlos F. MacDonald's testimony on pages 319 and 320.

Q. We have had some evidence of the wages paid some of the employees on the Island and it is on record that a good many have received as low as ten dollars per month; what should hospital helpers be paid to insure good service? A. At least double that sum. Ten dollars a month is ludicrously inadequate.

Q. What is paid in the State service in the State hospitals? A. I investigated that in the State hospitals while commissioner. I found women who had entered the service at ten dollars and

maintenance had been advanced to the magnificent sum of \$14, and I inquired of a good many attendants how they managed to get along on that amount of money, and we considered it, and the Commissioner took it up and advanced the pay, and we wanted to make the pay of the women equal to that of the men, my feeling being that the woman who renders the same service as a man should have the same pay as a man, but the appropriations wouldn't stand for it and we fixed it at about two-thirds of the men.

Q. What do they receive now? A. \$25 to \$40 according to the length of service and regular promotion in pay due to length of service, with efficiency in service, from minimum to maximum.

Homer Folks' testimony on pages 327, 343 and 345.

Q. Upon whom do you place the blame, if upon anybody, for the low wages paid at that time to the employees of the Randall's Island institutions? A. The Board of Estimate and Apportionment primarily.

Q. It wouldn't attach to anyone on the Island? A. Not if they made adequate efforts to secure larger salaries.

Q. How could those efforts be made by anyone on the Island? A. By appeals repeatedly and strongly made to the head of the Department.

Q. That would be the Commissioner of Public Charities? A. The Commissioner of Public Charities.

Q. And the Commissioner of Charities would have to make an appeal to the Board of Estimate and Apportionment? A. Yes, that is entirely correct.

* * * * *

Q. What did you do while you were Commissioner to obtain better pay for the employees of that department? A. I urged very strongly upon the Board of Estimate and Apportionment during the years of my term.

Q. Were you successful? A. To some degree.

Max Niklas' testimony on pages 416, 417, 417b and 418.

Q. As a part of the work of assigning men to work did you have anything to do with their employment, employment of the helpers generally? A. According to the rules I assigned them.

Q. Did you have anything to do with employing the men? A. I employed them when Mrs. Dunphy engaged them.

Q. Can you give us the character of the men whom you employed as orderlies when Mrs. Dunphy engaged them? A. They generally came from the Municipal Lodging House.

Q. What character of men are to be found there? A. That is what is decided by the men who have in charge the lodging house.

Q. These men are largely homeless men? A. Otherwise they would not be at the lodging house.

Q. What is the lodging house? A refuge for the city's homeless people where they can go to get a night's lodging? A. That is what they are.

Q. What did you pay these men on the Island? A. If money is available they might get ten dollars.

Q. What did you give them if not available? A. They would have to wait until there was a vacancy.

Q. What service did they perform for ten dollars? A. Work in the wards among the inmates, as drivers, firemen, boiler-house men.

Q. What percentage of these ten dollar men were put to work in the wards among the inmates? A. There might be twenty to twenty-five of these men who come in there.

Q. Did you think you could get a good, satisfactory employee for a wage of ten dollars a month? A. We had no money to pay more.

Q. Do you think satisfactory help can be brought from the Municipal Lodging House? A. They had no other men.

Q. How were you originally appointed to that position? A. The Civil Service.

Q. As a result of competitive examination? A. Yes, sir.

Q. In selecting these men sent you from the Municipal Lodging House did you ever look up their references? A. The references come from the lodging house.

Q. Did you ever employ men not recommended from the Municipal Lodging House? A. I did.

Q. Some of the men were sent up without any recommendation whatever? A. Yes.

Q. Did you think it important to get a recommendation as to their character and to inquire into these recommendations? A. I inquired into some of them.

Q. What was the average length of service of these ten dollars a month men: how long did they stay? A. Sometimes three, four or five weeks, until they got their first pay, and then they went away again.

Q. So the low salary led to frequent changes of help? A. Yes.

WAGES AT STATE INSTITUTIONS FOR THE FEEBLE-MINDED

The rates of wages for attendants in State institutions for the feeble-minded as allowed by the State Salary Classification Commission, are shown by the following statistics:

Syracuse State Institution for Feeble-Minded Children

(Figures given are in addition to maintenance)

Head attendants, men \$40 a month, women \$35.

Night attendants, men \$30 to \$35 a month, women \$25 to \$30.

Day attendants, men \$25 to \$30 a month, women \$20 to \$25.

State Custodial Asylum for Feeble-Minded Women, Newark

(Figures given are in addition to maintenance)

First attendants, \$35 a month.

Night attendants, \$30 a month.

Day attendants, \$25 a month (all women).

Rome State Custodial Asylum

(Figures given are in addition to maintenance)

Night attendants, men \$35 a month, women \$30.

Day attendants, men \$30 a month, women \$25.

Attending teachers, men \$30 a month, women \$25.

Letchworth Village, Thiells

(Figures given are in addition to maintenance.)

Attendants for farm groups (women) \$25 to \$30 a month;
(men) \$35 a month.

THE CONGESTION OF POPULATION

Deputy Commissioner Wright's testimony on pages 14, 16 and 25.

Q. In connection with your visits to the Island, did you ever look into the sufficiency of housing conditions, the census of patients, and study what the accommodations were for them on the Island? A. To a certain extent. I was familiar with the census and with the approximate number of beds in the various buildings.

Q. Has the number of beds in the various buildings been adequate for the number of patients? A. It has not.

* * * * *

Q. Are these buildings in your opinion proper in number and in construction needs to meet the present day requirements of institutional construction? A. No.

Q. In what respect are these buildings deficient or wanting? A. For dormitory purposes and for hospital purposes they in the main lack accessory rooms.

* * * * *

Q. You had especial charge of the care and welfare of these children; approximately you have a population of two thousand? A. Yes.

Q. You know the normal capacity is approximately 1500? A. Yes, about.

Q. So you have a normal capacity of 1500 and a population of 2000? A. Yes.

Q. Many of these children are feeble-minded? A. Yes.

Q. They have to be watched over and great care exercised to keep them in health and well clothed? A. Yes.

Inspector Parks' testimony on pages 188, 189, 190 and 191, given as the result of special inspections made from April 17 to 24, 1915.

Q. To what conditions, what if any particular ones, did you direct your attention to this series of visits? A. To endeavor to get as full an idea of all the phases of the institution as possible.

Q. Can you tell us the general results of your observation and visits on the Island? A. In a general way.

Q. Tell us in as general or specific a way as you can, your impressions and what you learned on the Island on the occasion of these visits. You may refresh your memory from any slip or data that you may care to. A. I found the New York City Children's Hospitals and Schools were very much overcrowded, that the buildings in general were old and in rather poor repair; that the help and employees were too few in number and on the whole insufficiently paid; that especially there was a deficiency in the number of resident physicians and trained nurses to secure proper supervision and that there was a need of a modern service building, lack of lights, standpipes and chemical extinguishers throughout the plant; exterior and interior renovation of buildings.

Q. Give us the data of the individual facts upon which you based these conclusions; take the overcrowded condition first. A. As regards the overcrowded condition I have here a summary of the number of children in each building, in each ward in some of the larger buildings, the number of beds actually in the building or ward, and my estimate of what the normal capacity of such building should be.

Q. The number of beds that should properly be there? A. Yes.

Q. And you base that upon your qualifications as a physician? A. Yes; and my experience in visiting.

* * * * *

A. In building containing 1, 2 and 3 wards I found 104 boys, 110 beds and my estimate of capacity was about ninety.

The building containing wards 6 to 10 contained 193 girls, there were 193 beds with an approximate capacity of 150.

No. 11, 213 boys, 137 beds, approximate capacity 120.

This was one of the custodial buildings and a larger number of boys who really sleep elsewhere were registered officially as belonging to that ward.

Ward 14 contained 27 girls with 28 beds and an approximate capacity of 25.

Wards 15, 16 and 17 contained 77 boys, 80 beds with approximate capacity of 60.

Ward 23 contained 9 girls, 9 beds, capacity 20.

Ward 24 contained 15 boys, 15 beds, capacity 20.

Ward 26, 22 girls, 22 beds, capacity 20.

Ward 25, 15 boys, 15 beds, capacity 20.

Ward 27, 16 boys, 17 beds, capacity 20.

Ward 28 contained 18 girls, 19 beds, capacity 20.

Dormitory building 1, 3 contained 209 girls, 210 beds and approximate capacity of 200.

Dormitory 2, 124 boys, 124 beds, capacity 100.

Ward B contained 84 girls, 79 beds, capacity 60.

Ward C 143 girls, 93 beds, approximate capacity 80.

Ward D 66 girls, 43 beds, 40 capacity.

Ward E 84 girls, 52 beds, capacity 40.

Ward F-1, F-3 199 boys, 127 beds, capacity 100.

Ward F-2, 101 boys, 139 beds, 100 capacity.

G-1, G-3, 56 boys, 6 girls, 56 beds and 50 capacity.

The Infants' Hospital contained 81 boys, 115 girls, 222 beds and a capacity of 200.

The reception hospital contained 8 boys, 5 girls, 68 beds, capacity 50.

The Quarantine shacks, 1 boy, 23 girls, 30 beds, capacity 30.

That left a total of 1020 boys, 1004 girls, 1932 beds and a 1615 capacity.

Q. The excess would be about four hundred? A. Yes.

Inspector Ford's testimony on pages 299, 300, 301 and 302, as the result of a special inspection made on May 31, 1915.

Q. You were questioned at one of the prior hearings conducted by this Committee as to the space capacity of the various hospital wards on Randall's Island? A. Yes.

Q. I believe I asked you at that time whether the wards were sufficiently large to accommodate the various inmates? A. Yes.

Q. And you said they were overcrowded and insufficient; can you give any statistics tending to prove that overcrowded condition? A. Yes, on the first day of June in company with Dr. Park I visited the institution and took the measurement of certain wards and I prepared a table, a copy of which I have here stating the results of such measurements as to air space per bed.

Q. Can you give us the results of these figures? A. The results show that in the wards measured which were those which appeared to be the most overcrowded the air space is below the standard of 600 cubic feet per bed which is set by the public

health authorities, the Public Health Law, in certain specified classes of institutions in the absence of permits from the Board of Health allowing a smaller air space per bed. In four of the dormitories measured the air space is less than four hundred cubic feet per bed; those are north hospital, third floor, ward ten; dormitory B, second floor; dormitory 11, third floor now known as building 18, dormitory 11 second floor. Those are the four.

Q. Is there a statutory requirement in the Public Health Law as to hall space. A. There is, two feet between the beds.

Q. Is that lived up to in the wards? A. In nearly all instances it is not.

Q. Do you know what the average air space allowed in wards is? A. Very many of the beds are separated by a space of thirteen to fourteen inches and of twelve inches.

Q. So that this air space is in a good many instances only half of what is required by law? A. Yes, practically half in many instances.

Q. If the law was to be lived up to you would have to remove some of the inmates from the Island? A. Or beds would have to be removed from the dormitory.

Q. Where would you put them, out of doors? A. There aren't buildings enough to live up to the legal requirements.

The following memorandum prepared by Inspector Ford with reference to the air space per bed in certain of the dormitories of the New York City Children's Hospitals and Schools on Randall's Island, was received in evidence.

NAME AND LOCATION OF DORMITORY	Dimensions	Cubic feet of air space	Number of beds	Cubic feet of air space per bed
	<i>Feet</i>			
F 2, third floor front.....	37 x 36 $\frac{1}{4}$ x 12.....	16,095	33	488
F 2, third floor rear.....	48 $\frac{1}{2}$ x 37 x 12.....	21,534	44	490
Dormitory 2, second floor (Building 13)....	52 $\frac{3}{4}$ x 30 $\frac{3}{4}$ x 10.....	16,215	35	463
Dormitory 2, third floor.....	52 $\frac{3}{4}$ x 30 $\frac{3}{4}$ x 11.....	17,836	35	509
Dormitory 11, second floor (Building 18)....	70 x 30 $\frac{1}{2}$ x 11.....	23,485	61	385
Dormitory 11, third floor (Building 18)....	94 x 30 $\frac{1}{2}$ x 11.....	31,537	80	394
Dormitory 16, second floor.....	30 $\frac{1}{2}$ x 30 x 10.....	9,150	22	416
Dormitory B, second floor.....	72 $\frac{1}{4}$ x 32 $\frac{3}{4}$ x 10 $\frac{1}{4}$	24,251	80	303
North Hospital, third floor, Ward 9.....	57 $\frac{1}{2}$ x 33 $\frac{1}{2}$ x 11.....	21,191	46	461
North Hospital, third floor, Ward 10.....	24 $\frac{1}{3}$ x 29 $\frac{2}{3}$ x 9 $\frac{2}{3}$	7,036	21	335

The beds in the dormitories are nearly all separated by spaces much less than the two feet required in dormitories coming under the provisions of the Public Health Law.

The following tables show the growth of population at the city institutions on Randall's Island year by year during the past ten years and the comparatively small amounts expended by the city for improvements during the same period:

POPULATION AT THE NEW YORK CITY INSTITUTIONS ON RANDALL'S ISLAND, 1906 TO 1915:

Year	Total
1906	1,418
1907	1,234
1908	1,456
1909	1,537
1910	1,580
1911	1,595
1912	1,610
1913	1,903
1914	1,977
1915	2,049

NEW BUILDINGS AT THE NEW YORK CITY INSTITUTIONS ON RANDALL'S ISLAND:

Name of building	Contract price	Work begun	Work completed
Addition to Building for Male Helpers	\$42,077 75	June 1903	July 6, 1904
Two isolation buildings	10,747 22	Mar. 15, 1907	Dec. 2, 1907
Nurses' Home (100 beds)	200,000 00	Dec. 14, 1909	June 1, 1912
Addition to Ward F (64 beds) . .	16,619 00	1912	1913

Dr. Harris' testimony on pages 391 and 395.

Q. Was there overcrowding on the Island in your opinion?

A. Yes.

Q. You made the statement that you would send the atypical children elsewhere; where? A. I would send them up to Letchworth Village and if the State hadn't the money to appropriate the State ought to be bonded to provide buildings for all

the feeble-minded people who are committed from the various counties of New York to this institution and have the State take care of them and so give up this beautiful piece of property at Randall's Island with its wonderful air space for other purposes; there is a tract of land up at Letchworth Village which is ready to receive inmates if the money was appropriated for the proper buildings and then that Island would be free to do with as the Commissioner of Charities decides.

Mrs. Hazard's testimony on page 408.

Q. What changes if you can recall, have been effected in the last ten years in the physical conditions on Randall's Island, new buildings and improvements? A. New Industrial School, and Nurses' Home; and I don't remember when the gymnasium was put up.

Q. Conditions have been somewhat better physically in the last ten years? A. Yes.

Q. Do you think the administration of affairs on the Island has been better in recent years? A. I think it is. In the vocational training which has been improved constantly.

Q. Do you know to whom credit should be given in the way of the new Nurses' Home and the vocational training courses? A. Yes, to the superintendent entirely.

Dr. Schlapp's testimony on pages 209, 210, 214 and 215.

Q. From your connection with other institutions are you able to pass judgment on the average condition from the viewpoint of being satisfied or unsatisfied with conditions as they prevailed on Randall's Island from the viewpoint of general administration? A. Well, I don't know about the administration side of the work, the clerical work, and so on.

Q. No, from the viewpoint of the hospital and medical administration? A. It was as good as could be had under the conditions, according to my opinion.

Q. Will you tell us what those conditions are which prevented the betterment of certain features of the work there? A. Improper help; allowing visitors to come two or three days a week to visit their children, bringing over all sorts of food that they

would feed the children in such a way as to cause them to, in the case of epileptics, have epileptic fits after their families had been there and fed them themselves different foods, and then not enough space for the patients, that is the wards didn't have enough.

Q. By improper help you mean that the help was underpaid and too few in number? A. Yes.

Q. Was there any departmental rule against visitors, and any given period at which they might come? A. I don't know as there was any rule; I know parents had been coming twice a week.

Q. Was there any departmental rule which forbade the bringing of articles of food to inmates? A. I think not because I called Mrs. Dunphy's attention to it and she called Commissioner Drummond's attention to the fact and nothing had been done, nothing could be done.

Q. How far in your opinion are the various buildings now in use fitted for their present purposes? A. I think they could be very much improved upon.

Q. Can you give some instance in which this improvement might be manifested? A. The buildings are all old in the first place. I think the facilities in the buildings are not sufficient to care for the patients in the proper way.

Q. What facilities do you speak of? A. Bathing facilities I mean and places where the children can be cleaned. I think much can be done to improve that condition.

Q. Did your Board ever recommend at any time physical improvement along those lines? A. No, sir.

Q. To whom did your Board make reports if at all? A. We reported our meetings to the Commissioner.

Q. What was the subject of discussion at your meetings, general conditions of the Island? A. Medical situations.

Dr. Cornwell's testimony on pages 228 and 229.

Q. In your opinion was the general administration of affairs on the Island at the hands of the superintendent in the fore part of 1914 and 1915 a competent and proper supervision? A. In my opinion it was eminently proper with the resources at hand.

Q. Do you think these resources were inadequate to give complete and proper administration? A. Yes.

Q. Will you tell us wherein the requirements were short of the standard? A. She hadn't sufficient help with which to carry out her administration; the help she had was very largely untrained and underpaid. She had unsanitary buildings; many of these buildings were so old and unsanitary that the odor in them was almost unbearable in them on a hot summer's day and yet I never saw any buildings in any institution which were kept cleaner.

Q. Did you think there was sufficient space in the building to properly give accommodation to the different inmates? A. No, there was not; I cannot give you any statistics.

Q. Whereon do you base that answer then? A. When I first went on service there two years and a half ago it was pretty well crowded then and we had 1,200 to 1,300 patients. There was no increase of accommodations providing for the patients during that period although the number in the meanwhile was increasing until we had over 2,000 inmates.

Q. You are speaking now of the atypical cases only? A. Yes.

Dr. Bisch's testimony on page 243.

Q. Did you consider the buildings adequate for the needs of the inmates? A. No, I don't.

Q. In what respect did you consider them inadequate and improper? A. In the first place there was overcrowding, and it seemed on account of the fewness of the buildings it could not be helped, and there were certain patients who had to be placed on the high upper floor who in case of fire might have had difficulty in getting out, and in some of the buildings there was a leakage of gas and a terrible odor of gas all the time, and in general they seemed to be poorly constructed and out of date, but as to physical cleanliness that was observed strictly. Whenever visitors were taken into the male ward where low grade idiots were they said how clean it looked because they wet and soiled themselves, and you wouldn't expect it to be so clean there, perhaps, and it was almost spotless.

Dr. Bainbridge's testimony on pages 375 and 376.

Q. You have seen an improvement since her suspension in March? A. A distinct improvement.

Q. Can you describe what it consists of? A. It is cleaner; there is better food and it is better cooked; the children are cleaner; I have seen no evidence of brutality toward the children as I have seen since 1899, definite brutality; there have been fire drills I have known of; there is more of segregation of the contagious diseases; it is not perfect yet; it is very far from that and the segregation must go on further; there has been a longer time for the inmates to remain in quarantine and there has been distinct improvements in the building, the toilet paper, and closets have been cleaner, distinctly.

Q. I do not understand that you have given this Committee any definite instances of cruel and inhuman treatment you have seen at the Island in the last year and a half? A. None whatever.

Q. How far back would you have to go to find the last instance you can recall? A. While I was chairman of the Inspection Committee; while I was a member of the Inspection Committee; while president of the Board it was my duty to go there very frequently and I spent a great deal of time there; in the last four or five years I haven't spent as much time and I haven't been on the Inspection Committee. I was simply attending physician. I have seen the children restrained with jackets; I have seen rough bed ticking on the children as diapers and they suffered from absolute inflammation of the skin. I have seen that in more than one instance when there was good clothing enough in the central part which was seen by the visitors to the Island. If the Board would wish to see a sample of that I have a sample and after we had brought charges we found it was necessary to be very careful.

Dr. Harris' testimony on pages 392, 393 and 394.

Q. Am I correct in assuming that there had been a lack of team work in Mrs. Dunphy's time between the superintendent and the Medical Board and the superintendent and the nursing staff? A. Decidedly, and the Medical Board and nursing department and diet department never coöperated.

Q. Had such coöperation been requested by the Medical Board? A. In a personal communication to Mrs. Dunphy.

Q. Had this personal communication brought response? A. In a very modified way; that antagonism was so intense between the diet and the nursing departments that they could not be brought together; they did not coöperate for the benefit of the inmates.

Q. The dietetic department was in charge of — A. A dietitian.

Q. Appointed by — A. The Commissioner of Charities.

Q. And responsible to — A. The superintendent.

Q. And the nursing staff was responsible to whom? A. The superintendent as far as carrying out of orders of Medical Board of sick children.

Q. Did the attending physicians seek to smooth out this difficulty between the dietitian and the nursing staff? A. Yes, a great effort was made.

Q. And was the coöperation of the superintendent sought in that effort? A. Yes.

Q. And was that coöperation refused? A. The result was not accomplished; no result was accomplished. It is very necessary to have coöperation between the nursing and the diet department in order to know how much food the children eat and whether they refuse any article of food because with two thousand inmates it is necessary to adjust the diet and meet the demands of the children and no such knowledge was available in the nursing department or the diet department. The nursing department didn't look into it and the diet department didn't have the staff to visit thirty-two dining rooms and find out whether the children had food or not and I visited the dining rooms a good many times and couldn't get it and to this day I haven't got a knowledge of what the children do eat; but the improvement is wonderfully better than it was.

Dr. Stowell's testimony on page 402.

Q. In your opinion did you believe that charges as grave in form and in substance as here preferred against the superintendent of Randall's Island were justified by the general conditions there? A. For this reason, there was a lack of harmony between the superintendent and the medical side for years.

Q. How did that lack of harmony manifest itself? A. Because the Medical Board had to ask for things and call attention to mat-

ters over and over again; it always seemed next to impossible to get anything done unless it was something that appealed particularly to the superintendent; I had no personal antagonism to the superintendent. When she came to the Island I think she came as a part of the almshouse and it always seemed to me that her idea of administration was along the care of almshouse progress rather than medical progress and that was my personal idea of why it was so difficult to get medical things and they would have to be fought for and have to go down to see the Commissioner to get things through.

Mrs. Hazard's testimony on pages 406, 407, 410, 411, 412 and 414.

Q. Did you come in contact much with those who are in charge on the Island, the superintendent and the assistant superintendent? A. Yes, but I would like to say I was visiting Randall's Island at frequent intervals for six or seven years before I ever met Mrs. Dunphy. I want to say that because it has been suggested that I was a personal friend of hers which I have become but it is recently; all the information I needed was given me freely from the office and every suggestion I made for the betterment of a special case I made was carried out and was carried out in a friendly, kindly spirit. I never have had more perfect coöperation than there.

Q. What suggestions did you have to make for the betterment of individual cases? A. A very striking one was the case of a young woman who has been there a good many years; she is absolutely feeble-minded and she is myopic and she is really unable to do anything, and when I first went there she seemed so helpless and so unhappy and I had known of her before she went there and I went over and said: can't we find something she can do? And the teachers took the utmost pains and found out that the poor thing liked to paint and they took great interest in her, and I got her paints and they put up a screen for her in the schoolroom because she didn't want to be seen doing it, and she has been an entirely different and happy person since; that seems a little thing but it illustrates the coöperation I found.

* * * * *

Q. Do you think there has been any callousness of child wel-

fare by nurses or attendants in immediate charge of the children there? A. I have never seen a trace of it.

Q. Do you think there has been humane and kindly treatment approaching home conditions? A. I think so; it is not possible when you have sixty children, to look after each one and pet each one as much as if you had two; it is, has been perfectly wonderful, the tone of the institution; I have never heard a voice raised, I have never heard a nurse speak to a child as mothers speak to their children in the tenement houses.

Q. Have you anything to tell the State Board in regard to changes in administration since that date? A. I have; and I am very glad to bring it to the State Board of Charities. I went there in April; I was going to the Island on a Saturday and at 125th street I was given the information which filled me with horror and when I went over there I found it was correct. They had a difficulty or some disturbance and by way of solving the difficulty the two ringleaders, feeble-minded both, waiting to be sent to the adult Feeble-Minded Asylum at Rome, were taken over on the boat and landed on the crowded upper east side and turned loose with ten cents in their pockets; and then we are astonished and cannot account for ripper crimes.

Q. Who told you? A. The policeman on the dock at 125th street; I was told it was done by the permission, by the orders of the person in charge, a Mr. Flick with permission from the Commissioner's office.

Q. Who told you that? A. I was told by various people.

Q. Who were the various people? A. It was not told me until I cross examined them but I was told that by Dr. Books.

Q. Anyone else? A. He is resident physician.

Q. He is still there? A. Yes.

Q. Who else did you hear it from? A. The policeman on the dock.

* * * * *

Q. You testified I believe yesterday that two of the inmates on Randall's Island had been sent from the Island as incorrigible at a time when their condition had not justified their being turned adrift in New York City; have I recited your testimony correctly? A. Yes, except at a special time, they were feeble-minded, being deficient in that way they are always unfit.

Q. Can you give us the names of these inmates of the Island who were so turned adrift? A. Yes; Bland and Veitz, and I have since had a third name added which is White. The Bland and Veitz cases were both being held to go to Rome and Veitz has since returned, got back to the Island, and is now being held to go to Rome again. I received this information I should say on April 24, Saturday, April 24.

Q. Who gave you that information? A. Dr. Books, and Dr. Books called me up on the telephone this morning and is very much surprised at what was in the newspapers because he didn't deny giving me the information which is just as I gave it.

Mrs. Dunphy's testimony on page 504.

Q. The Medical Staff has been here and made statements about the lack of coöperation between you and the Medical Board; has there been such lack of coöperation? A. As far as I know everything they asked me to do I did.

Q. You thought you had been working with them sympathetically all these years? A. Certainly.

THE MENTALLY DEFECTIVE DELINQUENTS

Acting Superintendent Flick's testimony on pages 527, 528, 533 and 534.

Q. Is the general deportment of the inmates good, their conduct? A. Their conduct is good except those few criminal delinquents, very good, excellent.

Q. Have you during the period of your superintendency had any riots or any widespread instances of misconduct? A. Except those criminal delinquents not any at all.

Q. Except the criminal delinquents; did those criminal delinquents by a concerted movement start anything that looked like a riot? A. Yes, among the inmates in what is called ward 11.

Q. Is that a ward in which you have these criminal classes? A. Yes.

Q. How serious were these disturbances? A. It was not very serious, it was in May I think, perhaps April. It was serious until I got there; when I got there everything was quiet.

Q. What time of night did they start? A. I think they were timed about the time I was getting my good sleep and all at once my telephone rang.

Q. During what particular hour when you were getting your good sleep were you disturbed? A. Between eleven and twelve. As soon as I got there everything got quiet. I undertook a search for the ringleader; I examined every inmate and found some of these inmates having blackjacks and knives like a stiletto in their possession and on those I inflicted punishment and isolation.

Q. Aren't these inmates searched when they come on the Island? A. Yes, they are searched.

Q. Are they permitted to keep deadly weapons? A. No.

Q. How do you account for the presence of stilettos and blackjacks? A. I account in this way, suppose an inmate works as assistant to the engineer in the boilerhouse and he finds something for a weapon and he sticks it in his pocket and hides it in the ward, or as assistant to the electrician or tinsmith; you have to give them some work and naturally you can't watch them every minute.

Q. Were any of these disturbances so serious as to necessitate the calling in of the police? A. Not the police, but we have a policeman on the Island who is always at call and help us in any case of disturbance.

Q. Did you require his services or use his services? A. I never used it myself but twice it came when the policeman was on duty and tried to quiet the boys. He is off duty to-day. He is employed by the Police Department and not the Charities Department.

Q. Have any fires been started on the Island since you were here, apparently incendiary in their origin? A. Yes, two.

Q. Did you investigate the cause of those fires? A. Yes, thoroughly.

Q. And what conclusion did you come to as the result of that investigation? A. I came to the conclusion that they were started by some of these criminal delinquents.

* * * * *

Q. In addition to this cell in F2 Building have you at any time made use of a cell in the women's hospital building? A. Yes, the infants' hospital, that is in addition to F2; we haven't had the

two used together. We had Finnem, and then Blumberg was there. He took three poor feeble-minded boys, he is a high grade, more criminal, to the river and had them nearly drowned; one of the boys was rescued by one of the men of the Pennsylvania railroad construction bridge there and the three were brought to me and he told me he saw him trying to make them go into the river. He was sent to Rome.

Q. How was this possible if the boys were properly looked after while at recreation or play? A. If we didn't have these criminal delinquents it wouldn't exist; it is to be regretted there is no means of keeping these delinquents from the institution. I accept full responsibility for all punishment I have inflicted; it wasn't cruel.

Q. Were these boys supposed to be watched by an attendant or orderly or are they supposed to be unattended and unsupervised? A. They are watched by an attendant in the ward.

Q. If the attendant had been watching these three inmates closely or carefully would it have been possible for Costello to have gotten them away? A. It is remarkable that within five minutes of the boys going away from there I was looking for the boys.

Q. How large a salary did that attendant receive in that particular pavilion who permitted these three boys to go away? A. Twenty dollars: that is a woman.

Q. Twenty dollars is the fair average wage on the Island for the women workers? A. That is the average salary for the women attendants.

Q. What is your average salary for the men attendants? A. I think that would be also \$20.

Q. Have you many of the \$10, \$12.50 and \$15 attendants on the Island? A. The lowest salary is \$15 for those who take care of the children.

Q. How many \$10 a month men have you on the Island at present? A. I think about 74; I am not going to say that is exact, about 70.

Q. Do any of these \$10 a month attendants come in physical contact with the children and take care of them? A. No; none of them take care of the children; the lowest wage of attendants who come in contact with the children is \$15 a month.

Q. How many of that \$15 a month grade are there in all of those who take care of children? A. We have 54 orderlies taking

care of children and all who have charge of a ward by themselves received \$20 and over but those who have a superintending nurse in charge receive \$15.

Q. At what price do you find you are able to get a fair grade of help? A. At the price of \$20 and over. As soon as we are to have money we ought to raise the initial salary to at least \$20 and then progress and gradually raise the salaries.

LETCHWORTH VILLAGE

Mr. Kirkbride's testimony on pages 445 and 460.

Q. You are the Secretary of Letchworth Village? A. Yes, I am the Secretary.

Q. Will you tell the committee something if you please, in your own way and as fully as you like as to the plan and scope of Letchworth Village with such information as you think may be useful to the committee? A. In 1907 a commission was appointed to select a site; in 1908 the Legislature appropriated the money to purchase the site recommended by the Site Commission; the following year the Site Commission completed its labors, the institution was organized and a Board of Managers appointed to take care of the proposition. Letchworth Village is for the care of the feeble-minded and epileptic cases from the Southern part of the State; the first patients were admitted in 1911 and there has been an inmate population of one hundred since that time; at present four dormitories are practically ready, which will admit 280 more cases; the first of these was opened a week ago and all ought to be ready in July. At first the Site Commission and since then the Board of Managers have been endeavoring steadily to get sufficient appropriations to develop the institution to its full capacity which will be three thousand beds. Up to September 30th last the total appropriations made were \$1,386,000; there was lost by lapse and reappropriations vetoed by Governor Glynn \$209,000, making a total of \$1,176,000.

* * * * *

Q. Do you know that the institution on Randall's Island which has to do with looking after feeble-minded inmates is in charge of the local or New York City Department of Public Charities? A. I do.

Q. Do you believe the care and custody of the feeble-minded is a function or duty properly to be discharged by a municipality rather than the State? A. I think the State should assume the burden of care of the feeble-minded.

CONCLUSIONS AND RECOMMENDATIONS OF THE COMMITTEE

First.—As to the alleged brutal and inhuman treatment of inmates.

The Committee has not been able to find any substantial evidence of the truth of the serious charges to the effect that the children at the New York City Children's Hospitals and Schools were permitted by the superintendent or any one else in authority to be brutally or inhumanely treated. The weight of evidence leads to the conclusion that the general authorities at these institutions at all times sought to secure good treatment for the inmates. At the same time, although the evidence as to that is quite indefinite and unsatisfactory, the Committee realizes that it is not at all impossible that occasional instances of misbehavior on the part of the poorly paid and inexperienced attendants may have occurred from time to time, particularly after it became the established custom to commit mentally defective delinquents, many of them substantially adult criminals, to these institutions. Such inmates, because of their delinquent tendencies and the lack of mental balance, constitute a particularly trying class. They should not have been sent to the Randall's Island institutions, where they would surely become a disturbing influence, there to mingle with, intimidate and corrupt the younger and dependent inmates who, because of defective mentality, are peculiarly susceptible to evil influences. These mentally defective delinquents cannot be dealt with in a satisfactory manner by inexperienced attendants, especially of a class that has never been able to discipline itself.

Considering the inferior grade of help provided by the City, and the theory advanced by Mr. Henry C. Wright, now First Deputy Commissioner of the Department of Public Charities, and as such in direct charge of the Randall's Island institutions, in effect recommending the employment of drunkards as hospital helpers, it is surprising that instances of misbehavior did not

frequently occur. A report on this subject made under Mr. Wright's direction to the Board of Estimate and Apportionment in 1913, contains the following astonishing conclusions:

"(1) The City has assumed the support of the indigents; and, in the absence of other institutions wherein the periodic and semi-responsible drunks can live and work, they can, to the best advantage, both to themselves and to the City, be supported as workers in the city's hospitals.

"(2) This class renders good service when sober, and is content to serve for a small wage."

In this report Mr. Wright evidently quite overlooked the facts that drunkards are likely to use liquor if at all procurable, even when they are on duty and to the neglect of such duty no matter how serious its nature, and that to employ this class of irresponsibles as hospital helpers caring for the feeble-minded, is extremely hazardous, as well as highly improper. As the testimony taken by this Committee shows, the comparatively few specific instances of harshness to inmates which may be chargeable to attendants, apparently arose from the employment of this very class of helpers.

For the evils, defects and abuses growing out of the employment of a semi-vagrant class of hospital helpers, including "periodic and semi-responsible drunks" in large numbers, recruited mainly from the Municipal Lodging House, those really responsible are the fiscal authorities of the City. To be more specific the Committee refers to the members of the Board of Estimate and Apportionment, who have long been deaf to the entreaties of former Commissioners of the Department of Public Charities, as well as to the recommendations of this Board, to the effect that moneys be granted permitting of the payment of reasonable compensation to the hospital helper or attendant class, in order that a better class of such helpers might be employed, especially at the Randall's Island institutions.

While the reports of alleged abuses at the New York City institutions on Randall's Island which were given out to the public through the press by the Department of Public Charities, omitted to emphasize the really serious evils existing in such institutions, such reports greatly magnified the defects which they alleged did exist. These defects such as they were, continued to exist for

months without any attempt on the part of the Commissioner to correct them. When carefully examined, however, with regard to the striking of children, which they claimed personally to have observed, both Commissioner Kingsbury and Confidential Inspector Rice, in excusing their non-intervention, testified that no real harm had been done in the cases under consideration. This, we believe was generally the case; otherwise the neglect to take immediate action would have been most reprehensible.

Second.—As to the alleged improper restraining of patients.

The Committee could not find any evidence to warrant the charge that any patient was ever improperly restrained of his or her liberty. Methods of restraint seem to have been used mainly, if not entirely, in low grade cases requiring restraint in order to prevent them from injuring themselves or others. No evidence could be had that such restraint was of any unusual character or for purposes of punishment. It is quite possible, as alleged by some witnesses, without specific examples, although denied by others apparently better informed, that some children may have been restrained by nurses, when necessary, without definite instructions from the house physician.

Third.—As to the alleged failure to quarantine and segregate inmates.

The question of quarantine is naturally one for the medical authorities to determine, and while, theoretically, the house physicians at the institution, acting under the direction of the medical boards, should have seen that the quarantine and the segregation of patients were carried out to the fullest extent possible, practically such quarantine and segregation were limited by the structural facilities on the Island. Never entirely satisfactory, these facilities naturally had a tendency to become less and less so as congestion in the institutions increased. From the low death rate it would, however, appear that the health and the lives of the inmates were carefully safe-guarded from the encroachments of serious disease.

The mortality in a public institution is generally regarded by the medical profession as a fair test of the care and treatment of the inmates. In this respect the mortality of the different grades of children in Randall's Island compares favorably with the best institutions in the country devoted to the care of children.

The Board's report to the Legislature of 1915 contains the following statistics for the preceding fiscal year, based upon the report of the Department of Public Charities with relation to the New York City Children's Hospitals and Schools on Randall's Island:

Total population in 1914.....	3,411
Deaths.....	112
Per cent.....	3.28
Population of Children's Hospital in 1914.....	1,307
Deaths.....	28
Per cent.....	2.14
Population of School for Feeble-minded in 1914.....	1,290
Deaths.....	51
Per cent.....	3.95
Population of Custodial Asylum.....	814
Deaths.....	33
Per cent.....	4.05

That there has long been serious overcrowding at the New York City Children's Hospitals and Schools on Randall's Island must be affirmed. Without any appreciable increase in capacity the census has grown from 1,418 in 1906 to 2,049 in 1915. But at the same time the City authorities are, only in part, responsible for such conditions. The State in 1907 established "Letchworth Village" at Thiells in Rockland County, largely to provide relief for the City institutions for the care of the feeble-minded. Progress in its establishment has been very slow for lack of appropriations. The general City authorities might, however, have been instrumental, through proper representations to the Legislature and the Governor, in hastening such relief, but it is not evident to the Committee that they have tried to do so.

In the opinion of your Committee the care of the feeble-minded is clearly a function of the State which it should assume directly and entirely. We approve the recommendations of the recent State Commission to Investigate Provision for the Mentally Deficient, to this effect as well as to the further effect that, by mutual agreement, the New York City institution for the feeble-minded, which is the only public institution of its kind under local control in this State, be taken over by the State, and used for the care and training of the high grade mentally deficient or

border-line case. On this general subject the State Commission hereinbefore mentioned, reported to the Legislature of 1915 in part as follows:

“ This Commission considers it not only most important to increase the capacity of the institutions for the mentally deficient, but also regards it as highly desirable to make these institutions for the care of the dependent feeble-minded sufficiently inviting to cause the relatives and the friends of feeble-minded children to wish to place such children in the institutions of this class. The earlier they are so placed, the better for the State. For this reason largely, the Commission believes it will be wise to have separate institutions for the higher grade mentally deficient children, whose relatives and friends might reasonably object to having the children placed with idiots and imbeciles of low grade. In part, for the same reason, and further because of the susceptibility of the mentally defective to evil suggestion, the Commission believes there should be separate institutions for the mentally defective delinquents.

“ In order to round out the system of State care recommended, the Commission recommends that the State take over the New York City asylums and schools at Randall’s Island and use this institution, which now houses all classes of the mentally deficient, as an institution for the high grade mentally deficient, who may when trained be given to some extent at least, and under proper conditions of supervision, ‘ the test of liberty ’ also. Inmates can be taken from the Eastern and Southern parts of the State while those from other parts of the State can be sent to the institution at Syracuse. By this arrangement the State can save the cost of construction while the city of New York can sooner rid itself of the cost of maintenance.”

“ In order to relieve the reformatories of the care of mentally defective delinquents who are not susceptible to reformation, and who at the same time, because of their delinquent and criminalistic tendencies should not be allowed to mingle with the mentally defective dependents, who, as has been said, are most susceptible to suggestion, the Commission recommends that provision be made for the establishment of two institutions, one for each sex, for the mentally defective class of delinquents.”

New York City should not continue to pay more than seventy per cent. of the cost of administering the State institutions for the care of the feeble-minded and at the same time pay the entire cost

of maintaining a large institution of its own for precisely the same purpose.

Fourth.—As to the alleged insufficiency of food.

This complaint apparently resolved itself into what seems to have been the fact that some of the children did not at times eat their breakfast cereal, but partook of it with apparent relish when sugar was added. There was no evidence produced to show that any of the inmates suffered from lack of food, but on the contrary, the evidence was clear that they were well and suitably fed.

Fifth.—As to the alleged failure to wash the children and to provide toilet paper.

No specific evidence was produced to show that the children were not bathed with sufficient frequency. The alleged insufficiency of toilet paper was not shown to have been at all serious or continuous, nor of a nature to cause any trouble to inmates, many of whom could not be trusted to use toilet supplies properly.

Sixth.—As to alleged failure to separate the feeble-minded from the mentally normal children.

Except as they might have come together in quarantine, or temporarily under some condition making absolute separation impossible, it does not appear either that there was any mingling of these two classes or that any harm whatever resulted from occasional contact between them.

Seventh.—As to the alleged use by employees of the clothing of inmates.

That this occurred to some extent seems to have been probable but considering the class of employees made possible by the extremely low and insufficient wages paid by the city there is nothing surprising about it.

Eighth.—As to the alleged failure to safe-guard inmates from fire and violation of rules by watchmen through failure to make their required rounds.

No evidence could be had in support of this allegation. It appears that a contract was let providing for the systematic inspection of fire-protection apparatus and for fire-drills and that these drills were, as a rule, regularly held. At the same time it is possible that, owing to failure to renew the contract, there was an interim during which this work was not carried on. It does not

appear that the authorities of the institution were ever notified of the failure to renew the contract.

Considering the condition of the buildings and the lack of funds to pay a better wage to some of the employees, your Committee is of the opinion that from the evidence as well as from personal investigation, conditions as to the care and welfare of the large population of children at Randall's Island have been exceptionally good. The buildings were kept scrupulously clean. The children had every appearance of being well-fed and well-clothed. They seemed happy in their work and in their play. Even many of low mentality were engaged in some occupation.

The Committee reiterates that it had neither the desire nor the intention to intervene in the disciplinary questions which arose out of the administration of the New York City institutions on Randall's Island. It fully realizes that disciplinary authority over all employees properly resides in the head of the Department and that any legal question arising from the exercise of such authority must ordinarily be settled by the courts. The investigation into conditions at Randall's Island was caused solely by the wide spread reports of the evils, abuses and defects alleged to exist there and had at no time any special reference to the personalities involved.

In conclusion the Committee desires to express its appreciation of the valuable services rendered by Deputy Attorney-General Leonard J. Obermeier of New York City, in the conduct of this investigation.

Respectfully submitted,

WILLIAM R. STEWART, *Chairman*,
STEPHEN SMITH, M. D.,
J. RICHARD KEVIN, M. D.,
HORACE MCGUIRE,

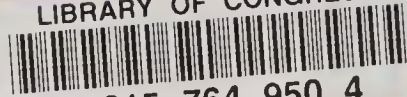
New York, July 14, 1915.

As the Deputy Attorney-General assigned to serve as counsel to the Special Committee of the State Board of Charities conducting the inquiry into the conditions of the New York City Children's Hospitals and Schools on Randall's Island, I endorse and subscribe to the views of the Committee as set forth in the preceding report.

LEONARD J. OBERMEIER.

New York, July 14, 1915.

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